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THE MISSISSIPPI
HISTORICAL SOCIETY

EDITED BY
FRANKLIN L. RILEY
Secretary

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PREFACE

This volume of the *Publications* has been prepared and printed under the same authority as was that of last year. Its contributions are perhaps more varied and certainly more numerous than have been those in former volumes. This increased activity in historical work is largely due to the enlightened policy of the Legislature in making provision for the preservation of all worthy contributions to State history. It is hoped that this policy will find ample justification in the character of this and of the preceding volume.

The contributions for 1901 have been for the most part along the same general lines as have those of preceding years. The possibilities of archaeological work in the State are emphasized in this volume in a way that will lead the reader to expect greater activity in this neglected field in the near future. The character and extent of the contributions to military, political, religious, and literary history will be especially gratifying to the reader. A great wealth of genealogical and biographical material will also be found in many of the monographs here published. The reminiscences of pioneer life and the stories of early events in the history of the State will be appreciated by the reader, since they contain the flavor of the olden times. An important phase of literary and biographical work, the history of oratory in Mississippi, has also received attention in this volume. It is to be hoped that a future contribution will do justice to the pulpit oratory of the State.

F. L. R.

University, Miss., Nov. 1, 1901.

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All persons who are interested in the work of the Society and desire to promote its objects are invited to become members.

There is no initiation fee. The only cost to members is, annual dues, \$2.00, or life dues, \$30.00. Members receive all publications of the Society free of charge.

Donations of relics, manuscripts, books and papers are solicited for the Museum and Archives of the Society.

Address all communications to the Secretary of the Mississippi Historical Society, University P. O., Mississippi.

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REPORT OF THE PROCEEDINGS OF THE FOURTH ANNUAL MEETING, APRIL 18 AND 19, 1901.

BY FRANKLIN L. RILEY, SECRETARY.

The fourth annual meeting of the Mississippi Historical Society was held at Meridian in the parlors of the Hall of the Woodmen of the World. The four sessions were presided over by Gen. Stephen D. Lee, President of the Society.

The first session was opened with prayer by Dr. J. M. Weems, of Meridian, Miss. Despite the inclemency of the weather this session was well attended by members of the Society from different parts of the State and by the citizens of Meridian. In a few well chosen words Mr. R. E. Wilbourn, of the Meridian bar, delivered an address of welcome to the Society. His sentiments of hospitality and good cheer were eloquently responded to by Dr. Charles H. Brough, of Mississippi College.

Gen. Stephen D. Lee then read an interesting account of the battle of Chickasaw Bayou (see page 15), in which battle the Confederate forces were led to victory under his able command. A brief extract of the paper prepared by Prof. J. G. Deupree, of the University of Mississippi, on the "Capture of Holly Springs, Dec. 20, 1862" (see page 49), was read by Dr. C. H. Brough, the author having been providentially hindered from attending the meeting. The next subject on the programme, "Battle of Corinth and Subsequent Retreat" (see page 63), by Col. Jas. Gordon, of Okolona, Miss., was then presented by title and submitted to the Society for publication. In the absence of Judge J. A. Orr, of Columbus, Miss., the Society was deprived of the pleasure of hearing his carefully written monograph on the "Hampton Roads Conference."¹ In a few well chosen words upon the valuable services of the women of the South, in war and in peace, the President of the Society then introduced Mrs. Albert G. Weems, of Meridian, Miss., President of the Meridian Chapter of the Daughters of the Confederacy,

¹ This paper was not received by the editor in time for insertion in this volume of the Publications.

who presented in a charming manner her interesting paper on the work of this organization (see p. 73). A "History of Millsaps College" (see p. 227), was then read by Dr. W. B. Murrah, President of that institution. Judge Richard B. Haughton, of St. Louis, Mo., then discussed the "Influence of the Mississippi River on the Early Settlement of Its Valley" (see p. 465). The Society adjourned to meet at 10:15 o'clock on the following morning.

The second session was attended by a number of distinguished visitors, who were not able to reach the city in time for the preceding session. After calling the Society to order, the President announced the following Committee on Nominations: W. W. Magruder, of Starkville, Mrs. Helen D. Bell, of Jackson, and Hon. P. J. Hamilton, of Mobile. Bishop Charles B. Galloway, of Jackson, read a very interesting sketch, entitled "Lorenzo Dow in Mississippi" (see p. 233). Dr. Franklin L. Riley, of the University of Mississippi, then made a few remarks, presenting some amusing characteristics of the religious worship of a hundred years ago, as given in Lorenzo Dow's *Journal*. Mr. W. W. Magruder presented a valuable paper in which he discussed the "Legal Status of Slaves in Mississippi before the War" (see p. 133). An interesting contribution to the early local history of the eastern part of the State, entitled "Recollections of Pioneer Life in Mississippi" (see p. 343), by Miss Mary J. Welsh, of Shuqualak, Miss., was then read by the Secretary of the Society, the author, though in attendance, being unable on account of recent illness to present her paper in person. The following papers were read by title and submitted to the Society for publication: "Local History of the War between the States" (see p. 79), by Mrs. Josie Frazee Cappleman; "Re-establishment of the Railway and Postal Service in Mississippi in 1865," by Mr. Jas. W. Garner, of Columbia University, New York City;² "Reconstruction in East and Southeast Mississippi" (see p. 105), by Capt. W. H. Hardy, of Hattiesburg, Miss.; "Legal Status of the Negro in Mississippi after the War" (see p. 143), by A. H. Stone, Esq., of Greenville, Miss.; "History of the Patrons' Union of Mississippi," by Dr. J. B.

² A paper entitled the "First Struggle over Secession in Mississippi" (See p. 89) has been substituted for the one which appeared on the programme.

Bailey, of Conehatta, Miss.³ The Society adjourned at one o'clock to meet at 3:30 p. m.

The programme had been arranged for an Archaeological Conference, the first one held in the history of the Society, to begin at 3:30 o'clock. This Conference was perhaps the best session of the meeting, judging from the interest aroused by the papers which were read. The exercises began with a valuable paper on the "Importance of Archaeological Investigations" (see p. 255), by Hon. Peter J. Hamilton, of Mobile, Ala. Mr. H. S. Halbert, of Lucile, Miss., then presented "The Choctaw Creation Legend" (see p. 267) in the Choctaw language and an interpretation of the same. Mrs. Irwin Huntington Burton, of Meridian, Miss., then read an interesting paper on the Natchez Indians and exhibited some valuable relics which have been found near the former habitat of that tribe.⁴ Mr. A. J. Brown, of Newton, Miss., author of a *History of Newton County*, then read from his book a chapter entitled a "Sketch of the Choctaw Indians of Mississippi."⁵ Mr. H. S. Halbert then made a few interesting remarks upon the traces of sun worship that still remain among the Choctaws. Mr. P. J. Hamilton also presented a few facts in this connection. A paper entitled "Extinct Towns of Mississippi" (see Vol. V.), was read by Dr. Franklin L. Riley. Two valuable contributions by H. S. Halbert on "Small Indian Tribes of Mississippi" (see Vol. V.), and "Last Indian Council on the Noxubee River" (see page 271), were then read by title and submitted to the Society for publication.

By a unanimous vote the Society adopted a programme of Archaeological work, which was prepared by Mr. H. S. Halbert, and requested him to procure the assistance of competent investigators on the "unassigned" subjects. This programme is as follows:

1. Dr. T. H. Lewis, St. Paul, Minn.—"The Route of De Soto's Expedition from Cabusto to Minoya."

2. Unassigned—"The Kwapa or Arkansas Habitat in Mississippi. Were the Quizquiz People of De Soto's Day Kwapas? Identification of the Ancient Arkansa Village on Bernard Roman's Map."

3. Unassigned—"Identification and Description of Bienville's Battlefields."

4. Unassigned—"Ancient Chickasaw Towns and Trails."

³ This paper was not received by the editor in time for publication in this volume.

⁴ This paper was not submitted to the Society for publication.

⁵ See Brown's *History of Newton County*, pp. 14-27.

5. Unassigned—"Identification of the Sites of the Chickasaw Missionary Stations in Pontotoc and Monroe Counties."
6. Prof. Dabney Lipscomb—"Antiquities of Lowndes County."
7. H. S. Halbert, Esq.—"Bernard Roman's Map of 1775—That Part South of the 34th Parallel."
8. Prof. J. M. White—"Description of the Ancient Earthworks of the Flatwoods, Three Miles Southwest of Starkville."
9. W. W. Magruder, Esq.—"Identification of the Choctaw Missionary Stations in Oktibbeha and Lowndes Counties."
10. Rev. J. B. Bekkers—"The Catholic Mission on the Chickasahay during the French Colonial Period."
11. Capt. A. J. Brown—"The Antiquities of Newton County, Including a Description of the Ancient Fort in Northwest Lauderdale."
12. Mrs. Irwin Huntington Burton—"The Mounds in the Natchez Country."
13. Peter J. Hamilton, Esq.—"The Hiowanni Indians."
14. Rev. T. L. Mellen—"Identification of the Site of the Home of Pushmataha on the Buckatunna."
15. Hon. J. M. Wilkins—"Identification of the Site of the Choctaw Agency on the Chickasahay."
16. Prof. W. I. Thames—"Location and Description of the Treaty Ground of Doak's Stand or Puckshenubbee's Treaty."
17. Rev. T. L. Mellen—"The Choctaw Towns and Trails West of Pearl River."
18. Peter J. Hamilton—"Prehistoric Antiquities of the Mississippi Gulf Coast."

The papers will upon their completion be submitted to the Society for publication.

The fourth and last session of the meeting was held on the evening of April 19, beginning at 8:15 o'clock. The exercises were opened with prayer by the Rev. Ira M. Boswell, of Meridian. Mrs. Helen D. Bell presented some facts upon the history of Hinds county in her paper entitled "The History of a County" (see p. 335). Maj. John J. Hood, of Meridian, then read part of a contribution, which was entitled "Great Mississippians—Davis and Lamar." The next paper read was that of Judge J. A. P. Campbell, entitled "History of the Planters' and Union Bank Bonds" (see p. 493). In the unavoidable absence of Judge Campbell, his contribution was presented to the Society by the Secretary. A very amusing account of "The Mississippi Panic of 1813," which was written by the late Col. John A. Watkins, of New Orleans, La., was then read by Mr. H. S. Halbert. The following papers were read by title: "Early Times in Wayne County,"⁷⁶ by Hon. J. M. Wilkins, Buckatunna, Miss.; "T. A. S. Adams, Poet, Orator and Divine" (see p. 425), by Prof. Dabney Lipscomb, University of Mississippi; "The First Settlement at Biloxi,"⁷⁸ by Peter J. Hamilton, Esq.; "The

Life and Literary Remains of the Rev. J. H. Ingraham”⁶ by Prof. A. L. Bondurant, of the University of Mississippi; “Life and Writings of Dr. J. W. Monette,”⁶ by Dr. Franklin L. Riley; “The Davis-Howell Home at Tunisburg, Louisiana,” by W. H. Seymour, Esq., of New Orleans, La.; “The Chevalier Bayard of Mississippi,—Edward Cary Walthall” (see p. 401), by Miss Mary V. Duval, of Grenada, Miss.

Upon the recommendation of the Committee on Nominations the members of the Executive Committee, who have served during the past year, were re-elected. Upon the recommendation of the Executive Committee, the Society then elected the following gentlemen to honorary membership: Prof. T. H. Lewis, Archaeologist, St. Paul, Minn., who had presented a valuable collection of rare old maps of Mississippi to the Archives of the Society, and Dr. A. S. Gatschet, of the Smithsonian Institution, who had also shown the Society some courtesies.

Dr. Franklin L. Riley then introduced the following resolutions, which were unanimously adopted:

Whereas, The *Journal of the Constitutional Convention of 1890* sheds almost no light upon the deliberations of that epoch-making body, and

Whereas, Much valuable information on the important problems that confronted said Convention will be lost with the disappearance of the surviving members of that body from the field of activity.

Therefore, be it resolved, That the President of that Convention, Judge S. S. Calhoun, be requested to prepare a paper on the “Causes and Events that led to the Calling of that Convention,” and that the following named gentlemen,—members of said Convention—be and they hereby are requested to write *complete histories of the important measures that were submitted to their respective committees and the deliberations on the same from their inception to their final disposition*:

1. Hon. Edward Mayes of the Committee on Bill of Rights and General Provisions.

2. Hon. R. H. Thompson of the Legislative Committee.

3. Hon. Murry Smith of the Judiciary Committee.

4. Hon. J. S. McNeely of the Committee on Elective Franchise, Apportionment and Elections.

5. Hon. H. L. Muldrow of the Committee on Corporations.

6. Hon. W. C. Wilkinson of the Committee on the Executive Department.

7. Hon. W. C. Richards of the Committee on Education.

8. Hon. S. E. Packwood of the Committee on Preamble.

9. Hon. George G. Dillard of the Committee on Penitentiary.

10. Hon. J. W. Cutrer of the Committee on Levees, Harbors, Water Ways, etc.

11. Hon. J. S. Sexton of the Committee on Revision.

12. Hon. D. R. Barnett of the Committee on Temperance and Liquor Traffic.

That the Hon. R. B. Campbell be requested to prepare a paper on the “Effects of the Constitution as Shown in the Code of 1892.”

⁶ These papers were not submitted to the editor in time for insertion in this volume of the *Publications*.

Resolved further, That the Secretary of this Society be instructed to inform the above-named gentlemen of this action and that he be authorized to arrange with them the time when it will be convenient to have them favor the Society with these contributions to Mississippi History.

After extending a hearty vote of thanks to the hospitable citizens of Meridian and to the fraternal order, which kindly furnished a pleasant place of meeting, the Society adjourned, subject to the call of the Executive Committee.





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THE CAMPAIGN OF GENERALS GRANT AND SHERMAN AGAINST VICKSBURG IN DECEMBER, 1862, AND JANUARY 1st AND 2nd, 1863, KNOWN AS THE "CHICKASAW BAYOU CAMPAIGN."

BY STEPHEN D. LEE.¹

Vicksburg was confronted by the Union Army and Navy from May 18th, 1862, to July 4th, 1863, a period of a year and two months. It may be said to have been under fire nearly all of that time. Besides this, there were three well defined and separate attempts made to reduce the city and capture it.

The first attempt was made in May, 1862. The great expedition under Admiral Farragut and Gen. B. F. Butler, consisting of nine ocean war vessels, thirty mortar boats, besides transports having troops on board, arrived in the Mississippi river in April, 1862. The forts (Jackson and St. Philip) near the mouth of the river were engaged and passed by the Union fleet, which also destroyed the few Confederate war vessels coöperating with the forts. After the forts were passed by the fleet, they surrendered to the Union forces. The forts were really the only obstacles to prevent these forces from holding the Mississippi river near its mouth, and in fact, for a long distance up the stream; and when they fell, the river was virtually open to the Union forces as high up as Memphis. Gen. Butler occupied New Orleans on May 1st, 1862, the few Confederate troops in the city under Gen. Lovell retreating northward. The opening of the Mississippi river and cutting off the States of the Confederacy west of the river, was early in the war a steadfast object of the United States. As soon as the city was occupied by Gen. Butler's army, numbering 13,000 troops, an expedition was organized to move up the river and open it to navigation, meeting a naval force and army moving down the stream, from Cairo, Ill., for the same purpose. Admiral Farragut's fleet consisted of nine ocean war vessels, carrying 150

¹ A biographical sketch of Gen. Lee will be found in the *Publications of the Mississippi Historical Society*, Vol. III., pp. 21-22.—EDITOR.

guns, seventeen mortar boats and transports conveying 3,000 troops under Gen. Williams, the entire number of vessels being thirty-five.

As the expedition found the river open from New Orleans to Vicksburg, it met with no resistance on the way up, until reaching the latter point. Here a small Confederate force of a few regiments and some heavy guns had been hurriedly sent to defeat their purpose. The guns had barely arrived and been placed in position, when the great fleet arrived, May 18th, 1862. The surrender of the city was demanded and declined. The Admiral at once bombarded it and threw shells from the mortar boats, and later (June 28th) ran by the batteries, going to the north of the city with eight of his vessels, delivering broadside after broadside into the city and the batteries defending it. He anchored his vessels to the north of the city. Here he was joined, June 29th, by the Mississippi river Gunboat Fleet, under Admiral Davis, consisting of iron-clad gunboats, wooden gunboats, rams and other vessels, the two fleets from the ocean and river united being one of the most formidable fleets of the kind seen up to that time. They remained inactive until July 15th, when the Confederate gunboat, Arkansas, boldly steamed out of the Yazoo river, just above them, and fought and butted its way through both fleets, and drew up at the wharf at Vicksburg. It was undoubtedly one of the boldest feats in naval record. This necessitated immediate action on the part of Admiral Farragut. That night he ran by the batteries at Vicksburg, rejoining the part of his fleet and command, which remained to the south of the city. When he passed the bombardment was repeated, as was the case when he went to the north of the city. The two fleets withdrew from the front about July 28th, 1862, and there was rest for a short time. It was decided that the city could not be taken from the river front by the navy, but that it could be taken by a large army coöperating with the navy from the land side. This in brief was the end of the first attempt to take the city of Vicksburg, with a combined naval and army force.

Although this article is intended mainly to describe the military and naval operations incident to the second attempt of the Union forces and navy against the city of Vicksburg, and in the State of Mississippi, it is deemed necessary to narrate briefly

the conditions on both sides leading to it. The military and naval operations for the year 1862 were on a grand scale and covered a vast extent of territory, from the Atlantic Ocean to and including the States of the Confederacy, west of the Mississippi river; in fact along the entire frontier of the Confederacy. In Virginia and in the East, the Confederate army under Gen. R. E. Lee was generally successful, forcing the Union army from the front of Richmond and from Virginia and transferring the seat of war from Virginia to Maryland, necessitating the calling out of 600,000 additional men for service in the Union army within a very short time. The campaign ended in the bloody battle of Antietam, after which Gen. Lee had to cross the Potomac again into Virginia.

In the country to the east and west of the Mississippi river the results were almost the reverse of those in Virginia, and the Union armies were usually successful. The battles of Fts. Henry and Donaldson, Shiloh, Perryville, and Corinth were all Union victories, gradually forcing back the Confederates from Kentucky and Tennessee and gaining possession of the Mississippi river, as low down as Vicksburg, and gaining possession of Ft. Pillow and Memphis and the Memphis and Charleston Railroad on the Northern border of the State of Mississippi. About the last of October Gen. Grant is found in command of West Tennessee with an army of about 50,000 men at Columbus, Ky., Memphis, Bolivar, and Jackson, Tenn., and Corinth, Miss. He also had the promise of 20,000 more men in a few days from new levies (say 70,000 available men), and the great naval and transport fleet in the Mississippi river and its tributaries to coöperate with him.

On the Confederate side the army of Gen. Bragg had been transferred to Chattanooga and Middle Tennessee; and there remained in Mississippi the commands of Gens. Van Dorn and Price. The former had been sent to Vicksburg in June, about the time Farragut's expedition was there, with Breckenridge's division, to hold that point and the Mississippi river. He had gone to Baton Rouge and fought an unsuccessful battle, but had seized and fortified Port Hudson on the Mississippi river, just below the mouth of the Red river, on the Louisiana side, thereby (with Vicksburg) controlling about 250 miles of the river. As no active efforts were then being made by the Union

forces along the southern part of the Mississippi river, Gen. Van Dorn left a small garrison at Port Hudson and at Vicksburg, and taking all of his available forces to Northern Mississippi and uniting his command with that of Gen. Price, who was on the M. & O. Railroad above Tupelo, had made the bold, but unsuccessful, attack on the Union troops at Corinth. The battle of Corinth (Oct. 3rd and 4th) was a disastrous defeat to the Confederates, and it was with difficulty that Van Dorn extricated his army. President Davis then relieved Van Dorn of chief command in Mississippi and appointed in his place Gen. Pemberton, who arrived at Jackson, Miss., Oct. 14th, 1862, and assumed command of all troops in Mississippi. He found the defeated army of Gen. Van Dorn in the vicinity of Holly Springs and Oxford, numbering about 22,000 men, exchanged prisoners having about replaced the losses sustained at Corinth; and increased the forces to the number Van Dorn had at Ripley, before the battle of Corinth. In his front was the army of Gen. Grant, numbering about 30,000 men, not including the garrisons of Memphis, Corinth and some other points. This is a fair statement of forces and positions about Nov. 1st, 1862.

The campaign during the year 1862, as stated, covered a broad field of operation and brought the resources of the North and South prominently to the front, and particularly the great advantage the North had over the South in having a strong and well organized navy and large fleets of transport steamers and barges, on the ocean and rivers; and a trained seafaring population. The North had extensive shipyards, arsenals and dockyards, machine shops, iron and steel foundries and manufacturing plants and mechanical skill developed by long experience, while the South, being essentially an agricultural people, and not engaged in sea commerce and manufacturing, had virtually no shipyards, no foundries and but a few river steamers, without adequate means of converting them into war vessels. The engines she could collect were very inferior, breaking down in almost every emergency, as was illustrated in the ram, Arkansas, and other improvised vessels of war. What few plants she had, like the one at Norfolk, Va., were soon lost because of lack of vessels on the water. She had a few privateers, which she had procured mainly in Europe, and her coasts were block-

aded early in the struggle, preventing the procuring of supplies and munitions of war.

This condition was a disadvantage which could not be overcome, and which the operations of 1862 proved to be a powerful and most decisive and potent factor in favor of the Union and against the Confederacy, in blockading ports, in cutting up the Confederacy by occupying its rivers, in establishing many depots and points of departure from the coast and rivers, in helping armies to invade, overrun and occupy new territory they could not cross, and in saving or aiding them when defeated.

In reviewing the campaigns of 1861 and 1862, it is recalled, that the coasts were blockaded and Roanoke Island, Beaufort and Ship Island, captured by the navy, the last of these serving as a base of operation against New Orleans; that the campaign of Forts Henry and Donaldson was made successful in having the gunboat and transport fleet to coöperate and assist, to reduce the forts and supply the army under Gen. Grant, by the occupation of the Tennessee and Cumberland rivers; that it was the navy which was the most important factor in aiding and saving Gen. Grant's army at Shiloh, when it was being driven back, and in forcing Gen. Buell's reinforcements across the river, and in shelling and retarding the approach of the Confederate army; that it was the navy which captured the forts at the mouth of the Mississippi river, and, passing them, captured New Orleans and opened the Mississippi from its mouth to Vicksburg, which was probably the greatest blow to the unity of the Confederacy that had been struck up to that time; that it was the navy which sheltered the great army of Gen. McClellan when it fell back before Gen. Lee on the James river in Virginia, and that it was the navy and great transport fleet which, when the Federal army was unable to follow Lee through Virginia in his first Maryland campaign, transported it by river and sea around to Washington to protect the capital and save Gen. Pope's army; that it was the navy and transport fleet which was the important factor in enabling Gen. Grant to operate in interior rivers (Tennessee and Cumberland) almost parallel to the Mississippi river, compelling the evacuation of fortified posts on the Mississippi river, such as Fort Pillow, Memphis, and other places, by passing them or flanking them and getting in the rear, and

giving the Union forces possession of the Mississippi river to Vicksburg. Thus it is shown that the coöperation of the great gunboat and transport fleets was most effective almost everywhere during the early part of the war, and so it was to the close of the war. Although it is a matter of speculation, it seems as if the navy and its work during the four years (certainly during the first two) in its help to bring the war to a close, was as decisive in results as were the mighty Union armies which were in the field. Let us now see what part the gunboat and transport fleet at Gen. Grant's command played in the second attempt to capture Vicksburg.

The plan of campaign in the second attempt to capture Vicksburg was not Gen. Grant's plan, but really the plan of the authorities in Washington. The last of October found the Union troops in West Tennessee, and depending for supplies on the railroads, from Grand Junction to Columbus, Ky. With the possible exception of the troops at Corinth, they no longer got their supplies from the Tennessee river. Gen. Grant, as soon as he felt free to act, wanted to abandon Corinth, as a strategic point, considering that as he should advance southward and beyond the line of the M. & C. Railroad, it would lose its importance. He wanted to destroy all roads near Corinth, repair the road from Memphis to Grenada, and make Memphis his depot. He wanted to continue the plan of campaign which had hitherto been successful, viz.: in operating on a line parallel to the Mississippi river, causing the Confederates to evacuate Vicksburg by his moving and occupying Jackson, Miss., while a lesser demonstration was made down the river. While Gen. Grant was given partial authority to inaugurate his plans, he was retarded in his efforts, as the Washington authorities had decided that Memphis should be the point from which a combined army and naval expedition down the river should be made, as a flank movement, to cause the Confederate troops in North Mississippi to move southward, while another force should operate down the railroads from Grand Junction, Holly Springs, and Grenada, to hold as many of Pemberton's troops from Vicksburg as possible.

Gen. Grant was not fully informed as to the matured plan at Washington, and was allowed to start to carry out his plans, but he soon saw that he was not supported by his superiors.

and was checked at almost every step on his advance. He, however, had authority to move southward from Grand Junction as he had proposed, but not to repair the railroad from Memphis to Grenada, nor was he to evacuate Corinth and destroy the roads near that point. He concentrated his army at Grand Junction and La Grange, Tenn., and ordered Gen. Sherman to move out of Memphis and join him as he moved south. The troops at Helena, Arkansas, also were ordered to cross the Mississippi river and move towards Grenada, to the south of Van Dorn's army, which was then in the vicinity of Holly Springs and Oxford. Gen. Grant was told to return Gen. Sherman to Memphis by Dec. 20th.

The several columns moved from Helena, Memphis, Grand Junction and LaGrange (about 40,000 men) the last of November (between the 24th and the 27th).

As these several columns of the Union army moved against the front and rear of the Confederate army under Gen. Van Dorn at Holly Springs and Oxford (22,000 men), he gradually fell back, first behind the Tallahatchie, and later behind the Yalobusha river, to Grenada, arriving at that place Dec. 5th. No serious endeavor was made to check the army under Gen. Grant, further than to skirmish with the advance of each column and develop the movement. Gen. Grant's army was now supplied by a long line of railway from Columbus, Ky., through West Tennessee and down about sixty miles into Mississippi (180 miles). When he had progressed this far, he was really ordered to hold the M. & C. R. Rd., return Gen. Sherman to Memphis, in order to carry out the Washington plan, namely, that the main attack be made down the Mississippi river and that a great military movement be made, with the coöperation of the gunboat fleet on the river under Admiral Porter. Gen. Grant himself, with his remaining army (30,000), was ordered to press Gen. Van Dorn, so that no troops could be detached to reinforce the small garrison at Vicksburg, till Gen. Sherman had captured the city, or obtained a lodgment on the bluffs near the city. Gen. Sherman, who had been placed in command of the river expedition, after full consultation with Gen. Grant, in which his plans were agreed upon, returned to Memphis, arriving there Dec. 12th. Gen. Grant then fully fell into the Washington plan, and arranged matters for the best possible

result. He showed good generalship in what he then did, first in fully and readily yielding his views to the plans of his superiors, and then doing his best to insure success. He had arranged with Sherman to coöperate with him by holding Gen. Pemberton's army at Grenada, or if he moved or sent reinforcements to Vicksburg, to attack him, defeat him, or follow him to Jackson, Miss., or move to the right of the railroad to Yazoo City, or even further south towards Snyder's Bluff on the Yazoo river (13 miles from Vicksburg). Gen. Sherman took only one of his divisions with him (Morgan L. Smith's). He found at Memphis the divisions of A. J. Smith and M. L. Smith and large reinforcements in the new levies. He at once organized two full divisions under the above named officers, which, with his own division, made 20,000 men. He was to pick up Gen. F. Steele's division at Helena, Ark., making his force 32,000 men (four divisions) and sixty guns. To show the great resources of the U. S. Government, and further show the great and insurmountable obstacle the Confederacy labored under, he (Gen. Sherman) made requisition on the quartermaster at St. Louis for a transport fleet to carry 32,000 men and their equipments from Memphis to Vicksburg by water, and in a week (Dec. 19th), 70 large transport steamers were at Memphis, almost like magic, to embark his army. But this was not all. He called on Admiral Porter to reinforce him and coöperate with him in his expedition against Vicksburg. The Admiral responded promptly, and was ready and in place Dec. 18th at Memphis and below, with the entire gunboat fleet of the Mississippi river, consisting of nineteen iron-clads, wooden gunboats and rams, assisted by two ordnance vessels and a smithery vessel and two mortar boats (31 vessels in all), carrying about 150 guns. (This fleet, Aug. 1st, had 144 guns.) These boats (transports) were further supplemented by additional boats at Memphis, Helena, and other points, making a fleet of no less than 125 boats, as counted by Confederate scouts. It was one of the largest and most powerful army and naval forces brought together up to that time in the war, in direct coöperation, and emphasized what an advantage was held against the Confederacy. Gen. Sherman left Memphis Dec. 20th with his great expeditionary force, escorted by Admiral Porter's fleet. He arrived at Millikin's Bend, 20 miles above Vicksburg, Dec. 25th

(near the mouth of the Yazoo river). Here he detached two brigades to destroy the railroad on the Louisiana side of the river, opposite Vicksburg, to cut off the reinforcements and supplies for that city from the west. He then proceeded up the Yazoo river, disembarking his army about 12 miles from the mouth of the Yazoo (Johnson's plantation) and 12 miles from the city of Vicksburg. He found himself in a low, swampy country, intersected by lakes and bayous and about three or four miles from the bluffs, running from Vicksburg to Snyder's Bluff, on the Yazoo (13 miles from Vicksburg by dirt road), with four possible routes to Vicksburg and the Bluffs, one near the Yazoo at Snyder's Bluff, where were some heavy guns, which obstructed the free navigation of the Yazoo river above that point.

Now let us look on the Confederate side. As stated, Gen. Grant detached Gen. Sherman to go to Memphis to prepare for his campaign, Dec. 8th. He was waiting for him to mature his plans and then he intended to move on Gen. Van Dorn's army at Grenada as soon as Gen. Sherman left Memphis, which he knew would be about Dec. 20th. Gen. Van Dorn, as stated, had gradually fallen back behind the Tallahatchie, and later behind the Yalobusha river, as Gen. Grant's four columns had advanced, and especially as the column from Helena was approaching his rear. The Confederate authorities were vigilant and had an inkling of the expedition from Memphis to Vicksburg, as the arrival of the boats at Memphis and below were regularly reported, and Gen. Pemberton had heard as soon as Dec. 21st of the assembling of these boats, and he arranged promptly to reinforce the garrison at Vicksburg as soon as the expedition was more fully developed. On Dec. 23rd Gen. M. L. Smith, in command at Vicksburg, heard definitely of the approach of the expedition through scouts along the Mississippi river from Memphis to Vicksburg, seventy-four transports and twelve gunboats having been counted (and as many as 120 boats of all kinds). Gen. Pemberton was in Vicksburg himself on Dec. 26th. The gunboats had been in the Yazoo river a week or more reconnoitering, removing torpedoes, and clearing the way for the transport fleet, which indicated the probable point of attack. Brigades were held in readiness at Grenada to move, and began moving about Dec. 24, and after this date,

troops were ordered rapidly to Vicksburg, but the transportation was limited and their arrival was much delayed. When Gen. Smith was reliably informed of the danger, he had only a small force for the defence of the city, not exceeding 6,500 men at Vicksburg. And including the cavalry in the Delta above the Yazoo river, the command was made up of about one thousand artillerymen at the batteries, with the infantry at Vicksburg and Snyder's Bluff to protect them.

On Dec. 25th, when Gen. Sherman arrived at the mouth of the Yazoo river, Gen. Smith ordered Gen. S. D. Lee to the command of the Confederate line of battle, from Vicksburg to Snyder's Bluff, on the Yazoo river, along the country road at the foot of the Bluffs (thirteen miles). There were no intrenchments except those immediately around the city from the river on the north, to the river on the south of city, and at Snyder's Bluff on the Yazoo river (13 miles distant). Gen. Lee was given all the available infantry and artillery to defend this line. There was left in the city about one thousand artillery troops in charge of the upper and lower batteries, and the 27th Louisiana Volunteers (about 600 strong). Gen. Lee took with him six regiments of infantry and two batteries. He placed one regiment, 31st Louisiana, and two guns from the Mississippi regiment of light artillery, at the mound (four miles from the city), and four regiments and eight guns at Chickasaw Bayou (six miles from the city) and one regiment between Chickasaw Bayou and the mound, covering six or more miles. At Snyder's Mills on the Yazoo, the extreme right of Confederate line of battle, were two regiments of infantry and the artillery (about 1,300 men), making about 6,000 men under Gen. Smith's command, and less than 3,000 men from Vicksburg to and including Chickasaw Bayou, a distance of six and one-half miles.

Not a spade of dirt had been thrown up along this entire line and there were no intrenchments nor covered batteries. A good deal of timber had been felled two miles from the city at the race-course as abattis, where the Mississippi river turned abruptly south and swept by the city. The line of battle naturally was a strong defensive one (with a sufficient force), as along the entire distance, from the race-course to Snyder's Bluff, was first fallen timber, then McNutt Lake full of water, except at the mound (four miles from the city), where there was a

dry crossing of 200 yards; and again a dry crossing at Chickasaw Bayou (six miles from the city), where McNutt Lake and the Bayou join. From the bayou to within a mile of Snyder's Bluff was a swamp with a levee along Thompson's Lake (parallel to the Bayou), and a corduroy road leading to the Bluffs, the levee and this road being easily commanded from the Bluffs. McNutt Lake (80 feet wide) had sloping banks from approach from the swamp, where the Union army was, but steep and abrupt banks on the side where Confederate troops defended, and also a levee was on this abrupt bank most of the way; so the advantage of position was on the side of the Confederates, who occupied the road along the Bluff at an average distance of one-quarter to three-quarters of a mile from the lake with skirmishers along the line of this body of water. There was cleared land from the road to the lake, except on the bank of the lake. Then, too, no time was lost with a large force of negroes in improving this advantage, in felling trees across the lake at the two dry crossings opposite the mound, and at the intersection of the lake and bayou. This work was done rapidly on the 25th, 26th and 27th, and up to the time the workmen were dispersed by the enemy on the evening of the 27th, short rifle pits for men and guns were also built at the mound and the bayou. The swamp beyond Chickasaw Bayou and to within a mile of Snyder's Bluff was almost an insurmountable obstacle to the approach of the enemy.

It may be stated generally that the great Mississippi Delta basin extended from Memphis to Vicksburg, with a flat, low alluvial soil, with Vicksburg as the only defensible point on the river from Memphis to Vicksburg. Here the bluff formation extends to the Mississippi river, and here is the city of Vicksburg, the next bluff formation on the bank being at Grand Gulf, 30 miles below Vicksburg. At Vicksburg the bluffs run northeast for 13 miles, when they strike the Yazoo river, and here was the fortified position on the bluffs on the Yazoo. Taking the Yazoo river as the northwestern boundary and the bluffs as the northern and southern boundaries (with the McNutt Lake one-half mile west), we find Chickasaw Bayou running almost at right angles from the bluffs to the Yazoo at the middle of the line of battle, or six and one-half miles from Vicksburg and three miles from the Yazoo river.

In front of McNutt Lake, and between the Yazoo and Mississippi rivers, we find an irregular triangle of low, swampy land intersected by an old bed of the river, numerous small lakes and lagoons, in irregular order and all in woods, with the exception of two plantations. In this triangle was Gen. Sherman's army of 32,000 men and sixty guns, with three possible roads to the bluff; one directly from his first landing place (Johnson's), almost direct to the city; another along Chickasaw Bayou (Mrs. Lake's plantation) to the center of the Confederate line of battle (a good road and really the only good one); the other, opposite the mound. Some of Sherman's troops (Steele's division) spent a day (Dec. 28th) on the levee on the north of Chickasaw Bayou; but they soon found that they could not reach the bluffs by that route, owing to the swamps and the levee and corduroy road being perfectly commanded by the Confederate troops along the bluffs or road at its base; they returned to the south side of the bayou on the night of the 28th and 29th of December. No reinforcements arrived at Vicksburg before the afternoon of Dec. 27th. Early on the morning of Dec. 28th three brigades (Barton's, Vaughan's and Gregg's) had been placed near the city extending nearly to the mound (four miles), but nearly all day of the 28th one regiment and two guns were the only defense at the mound or dry crossing. Later in the day one regiment and part of another assisted the 31st Louisiana in its defense at the mound. The city of Vicksburg had only one regiment of infantry and the heavy artillery until the arrival of reinforcements, which began to get in on Dec. 27th, 1862.

It was evident from the first that the main attack would be made against the center of the Confederate line, and it was strengthened until attacked where the lake and bayou came together. This was the widest part of the cleared land from the lake to the bluffs, and this cleared open ground became narrower between the lake and bluffs, as it approached the city. At the intersection of the lake and bayou the bayou bore to the left (northeast) towards Snyder's Bluffs, so that when the Chickasaw Bayou battle was fought, the topography presented the field almost in the shape of a triangle, with the apex at the intersection of the two sheets of water. From this apex back to the road at the foot of the bluffs was an open plateau of three-

quarters of a mile of gradual ascent to the line of battle of the Confederates. There was a fence also to the left of the center of the line, running obliquely towards the lake (towards Vicksburg), which made almost one side of the open triangle. There was at the apex, or intersection, of the lake and bayou, a dry crossing (in part of the lake and the bayou) over which the road along the bayou from the Yazoo and through the lake plantation came to the plateau on its way to the bluffs.

At the apex there was a regiment (26th Louisiana) intrenched so as to check too rapid approach of the enemy. This regiment was three-quarters of a mile in advance of the center of the Confederate line of battle. This was about the situation on the Confederate side till the night of the 28th of December.

In the meantime events of great importance had occurred in North Mississippi which were favorable to the Confederate side, and which prevented Gen. Grant from carrying out his part in the operation against Vicksburg by coöperating with Gen. Sherman. Gen. Bragg (in Middle Tennessee), to relieve the pressure from the threatened Union advance, from North Mississippi, had dispatched Gen. N. B. Forrest from Middle Tennessee across the Tennessee river to West Tennessee, with 2,500 cavalry to break up the railroads over which Gen. Grant supplied his army. Gen. Forrest fastened himself on this road Dec. 19th, 1862 (the day before Gen. Sherman left Memphis). He with great skill evaded most of the many Union troops sent after him, and destroyed the road from Jackson, Tenn., northward to the Kentucky line (over 60 miles), burning bridges and trestles and tearing up the track so as to prevent its use for eleven days. The raid was most successful and displayed great generalship on the part of Gen. Forrest. He recrossed the Tennessee river, with loss of about 500 men, but a loss to the enemy of nearly 2,500 men, and the loss of railroad and telegraph communication with Gen. Grant from Dec. 19th to Dec. 30th.

Gen. Grant had sent most of his cavalry (Dec. 13) on a raid across the State of Mississippi from Oxford to cut the M. & O. railroad about Tupelo and Okolona. Gen. Van Dorn took advantage of this and personally placing himself at the head of all his cavalry (about 2,500 men), he left Grenada on the 18th of December (a day before Forrest struck the railroad in Ten-

nessee) and moved rapidly around Gen. Grant's left flank, and on the next day (Dec. 20th, the day Sherman left Memphis) he surprised and captured the post at Holly Springs, Miss., with its garrison of 1,500 men, and destroyed the large depot of supplies Gen. Grant had accumulated there, valued at \$1,500,000. But even before this time, Gen. Grant was thoroughly aroused as to his danger and Gen. Van Dorn could accomplish little more than scatter the Union troops protecting the roads from Gen. Forrest and himself. He (Van Dorn) returned safely again around Gen. Grant's left flank, arriving at Grenada December 28th, 1862, in the afternoon, having sustained but little loss in his raid.

The breaking up of Gen. Grant's line of communication in West Tennessee and the destruction of his large accumulation of supplies at Holly Springs at this critical moment in the launching of the great naval and military expedition against Vicksburg from Memphis, and just as he (Gen. Grant) was ready to move against the Confederate army at Grenada to attack it and prevent reinforcements being sent to defend Vicksburg from Gen. Sherman's attack and surprise, completely changed the aspect of his campaign in favor of the Confederates. Gen. Grant's army of 30,000 men, instead of moving forward, had to fall back towards Memphis to be supplied with provisions.

His (Gen. Grant's) army gradually moved back, living on the supplies that were obtained in the country until within reach of Memphis. The Memphis and Charleston railroad was fortified and garrisoned, and held from Memphis to Corinth with 32,654 men. Gen. Grant, on Jan. 8, 1863, received orders to go to Sherman's assistance, down the Mississippi river. He arrived in Memphis Dec. 10th and called for transportation for 16,000 troops to be taken down the river. The rest of the army remained at Memphis and along the M. & C. R. R. and in West Tennessee. This relief in favor of the Confederate side was not known at the time the troops were being moved to reinforce Vicksburg, and did not really become known until the crisis was over at Vicksburg. It was thought strange that Gen. Grant did not attack at Grenada at the time.

Gen. Sherman, after disembarking part of his army Dec. 26th on the Yazoo, twelve miles from its mouth, at Johnson's planta-

tion, landed the remaining part of it two miles above, opposite the Lake plantation. Morgan's division landed first and was directed to move to the Lake plantation and along the southern bank of the bayou. Steele's division landed next and one of his brigades (Blair's) was ordered to report to Morgan. The rest of Steele's division was moved by boats to the north of Chickasaw Bayou to operate along the levee on the southern bank of Thompson's Lake, which was a sheet of water parallel to the bayou. He was ordered to try to reach the bluffs between the bayou and Snyder's Mill. Morgan L. Smith's division was next disembarked, and was to move to the dry crossing of McNutt Lake to the right of Morgan's division, and opposite the mound (four miles from Vicksburg); and A. J. Smith's division was ordered to be on the right and move directly on the road from Johnson's plantation to Vicksburg, two miles away. There was a road from the Lake plantation intersecting Johnson's road to Vicksburg, and also one along the bayou (east) to the bluff. The whole army was disembarked on Dec. 26th and the night of Dec 27th; and as it landed it began to push eastward towards the bluffs and towards Vicksburg, in four separate and distinct columns, under the division commanders, from right to left, in the following order: A. J. Smith's, Morgan L. Smith's, George W. Morgan's and F. Steele's.

On Dec. 27th these four columns gradually pressed back the Confederate advance towards the lake and formed a continuous line of battle from the race-course along the west side of the lake to Chickasaw Bayou and beyond. Batteries were also placed in position ready for battle on the 28th of December and the enemy hotly engaged.

The main resistance from the Confederates was encountered in front of the center, along Chickasaw Bayou and in the vicinity of the Lake plantation. Here there was considerable fighting on the 27th and on the 28th, amounting to quite an affair, several brigades of Morgan's division and several batteries being engaged, but ending in the enemy's being pressed back by noon on Dec. 28th, across the lake near the intersection of the lake and the bayou. The advance here and along the entire front being close to the lake banks and to the abattis of fallen timbers, which was mainly at the dry crossing near the mound,

and at the Chickasaw Bayou junction with the lake. Gen. Steele, north of the bayou, and operating towards Snyder's Mill, met with great delay, owing to the swampy nature of the ground and the little space he had to operate on along a levee leading to the corduroy road. He found a considerable force of infantry and artillery well posted to impede his advance, and by the night of Dec. 28th, he reported he could not reach the bluffs, and his troops, during the night of the 28th were again moved by boats to the south side of Chickasaw Bayou, and Gen. Steele was ordered to support Gen. Morgan's division, where one of his brigades (Blair's) had already reported.

Gen. Sherman determined to assault the Confederate line on the 29th and made all of his arrangements accordingly. (See his order of battle.) Gen. Morgan supported by Gen. Steele was to assault in his front and Gen. M. L. Smith's division was to assault at the mound, and A. J. Smith's at the race-course, the objective point of all four divisions being the bluffs, after crossing the lake. The assaults were to be made at the same time, so as to prevent the Confederate troops being reinforced from any part of their line. During the night of Dec. 28th the plans for battle were matured and the lines strengthened. On the morning of Dec. 29th, 1862, the artillery and sharpshooters opened fiercely on the Confederate line from the Chickasaw Bayou to and including the race-course near the city. By a mistake the small pontoon outfit was laid across one of the small lakes before reaching Lake McNutt, the one to be crossed by the troops to attack the enemy. An effort was made to remedy the mistake on the morning of Dec. 29th by attempting to throw the bridge over McNutt Lake near the right of Morgan's line, but this was prevented by the fire of the Confederate artillery and sharpshooters. The assault was planned to take place about noon; Blair's brigade of Steele's division had crossed to the north side of Chickasaw Bayou and was ordered to attack to the left of the apex, or where the Chickasaw Bayou road ascended the bank to reach the plateau across the lake and bayou. At the center the brigades of DeCourcy, Blair and Thayer were to make the assault, also the brigades of Lindsey and Sheldon on the right of Morgan's division. There were really no defenses opposite Morgan's right. The Confederate troops were lying in the road at the foot of bluffs without cover,

opposite the place where the lake was to be pontooned. The brigades of DeCourcy and Blair, at the signal, moved gallantly forward, and, crossing the abattis and obstructions and going over the steep bank of the lake and bayou, they reached the plateau, followed by Thayer with one regiment of his brigade. The other regiments of Thayer's brigade took a wrong direction to the right or were ordered elsewhere after the movement was begun. Sheldon and Lindsey reported they could not get across the lake in their front.

No troops could have behaved better than the troops which reached the plateau. They were met by a withering fire of eight guns and several regiments from the front and two regiments on their right flank, and the column rapidly melted away. No reinforcements came forward and they fell back across the lake at the road, leaving their dead and many prisoners. The attack on Gen. S. D. Lee's front was really the only vigorous one. In front of M. L. Smith's and A. J. Smith's divisions there was a brisk fire from artillery and sharp-shooters in volume almost equal to a battle, but no such assault as was made in Morgan's and Steele's front. The 6th Missouri was the only regiment that assaulted. This regiment crossed the lake at the dry crossing and burrowed under the bank and it was not reinforced and no effort was made to reach the level ground beyond the lake. The only assaulting troops were the troops of Morgan and Steele at the bayou and the 6th Missouri at the mound. The efforts of the two right divisions were weak, showing little spirit. They had the best crossings at the mound and at the race-course, for the McNutt Lake did not extend to the Mississippi river. Soon after they should have made the assault (with Morgan's and Steele's divisions) they learned of the repulse and determined that the attempt would not be advisable. It was the weak part of the Confederate line of battle and the obstacles were not as great as those opposite Gen. Lee's position at the bayou.

Gen. S. D. Lee, commanding the Confederate line from the city to Snyder's Bluff, began to retard the Union advance as soon as the troops landed. Skirmishing began on Dec. 26th, and on the 27th a force consisting of the 17th Louisiana, two companies of the 46th Mississippi, and a section of Wofford's Mississippi battery, under the command of Col. W. T. Withers,

had quite a skirmish with the advanced columns of the Union forces and held the enemy in check near the Lake plantation on the bayou, causing them to advance very cautiously. They, however, drove Col. Withers' command slowly back.

During the night of Dec. 27th Col. Withers was relieved by Col. Allen Thomas' 28th Louisiana regiment, and Col. Withers was put in command on the right of the center, to confront Gen. Steele's advance towards the bluff north of the bayou. He had the 17th Louisiana and the 46th Mississippi and Bowman's Mississippi battery of artillery, two Napoleon guns under Lieut. Frank Johnston (Mississippi Light Artillery), doing splendid service. This command so effectively checked Gen. Steele that by the afternoon of Dec. 28th he abandoned any further effort to reach the bluffs, and moved his division south of the bayou in the night following.

The enemy also attacked Col. Thomas' command in the woods near lake plantation with two brigades and several batteries, early on the morning of Dec. 28th, and, after a stubborn fight, drove him up the road along the bayou towards the bluff, and across the lake by noon. In this engagement a great many were killed on both sides, but Col. Thomas withdrew gradually and in good style, the enemy following in close pursuit. The 26th Louisiana, entrenched at the apex, on the east side of the intersection of two sheets of water, protected the withdrawal of Col. Thomas' regiment, and caused the enemy to cease the pursuit, and retire to a respectful distance. Col. Hall's regiment remained in its position, preventing the enemy from getting near till just before day on Dec. 29th, when the regiment was withdrawn, leaving the road and dry crossing open, virtually inviting the enemy to attack.

Snyder's Bluffs was also attacked on the 27th and 28th by gunboats, and a small force of infantry landed, but they did not move from the banks of the river. On Dec. 28th Col. Morrison's 31st Louisiana regiment at the mound, opposite the dry crossing, was viciously attacked by several batteries and a large force of sharpshooters. The latter early in the morning almost silenced the section (Drew's Miss. Artillery) on the mound and it could be used only at intervals to reply to the two batteries across the lake. During the night of the 28th and 29th Gen. Lee's force at the bayou was reinforced by two regiments

taken from their position near the city on the morning of Dec. 28th. The two regiments were the 42nd Georgia of Barton's brigade, the 3rd and 30th Tennessee regiments consolidated (Vaughan's brigade), and a part of the 80th Tennessee regiment, Gregg's brigade, the three small regiments equaling one good regiment.

At 9 a. m. on the 29th the enemy were seen attempting to lay a pontoon bridge to the left of the bayou and about a half mile from it. This attempt was soon thwarted by the artillery, near the center, under the command of Lieut. G. A. Tarleton (of Ward's Battalion of Artillery), and also by the sharpshooters along the Confederate line. Two regiments (28th Louisiana and 42nd Georgia) were at once pushed to Gen. Lee's left to cover the threatened crossing of the lake; at the same time the 4th Mississippi regiment (Col. P. S. Layton) was ordered from Snyder's Mill to replace the regiments moved to the left. At about 10:30 a. m. a most ferocious cannonade was opened upon the entire Confederate lines from the bayou to the city, which lasted for some time and during which time the enemy were arranging their columns for assault. The cannonading ceased about noon and the assaulting columns (apparently two) in front of the center, one in front of the vacated trenches, formerly held by Col. Hall's 26th Louisiana, and the other from the north side of Chickasaw Bayou, and considerably to the left of the one which moved directly along the road from the lake plantation to the plateau beyond the dry crossing of the lake. The first column was made up of DeCoursey's brigade, Steele's division, and a part of Thayer's brigade. The other column to its left crossed over Chickasaw Bayou and was quite near the Confederate line (right) from the time it emerged from the woods. This was Blair's brigade. The two assaulting columns were about 6,000 strong. The troops moved forward handsomely, in spite of all obstructions, came over the steep bank of the lake and bayou and formed on the plateau beyond under a withering fire from eight pieces of artillery and several regiments of infantry. After partially forming they moved at a double quick towards the Confederate position, to their right to Lee's left. As soon as they began to get close to the Confederate line they were literally mowed down by the fire of the infantry in their front and on both flanks. The fire from the

front and the two regiments sent to the left in the morning was most destructive. The assault failed, many recrossing the lake at the dry crossing, many lying down to avoid the terrible storm of bullets. As soon as it was plain that the assault had failed, two regiments, the 26th Louisiana and part of the 17th Louisiana, were double quicked on the field and captured 21 commissioned officers and 311 non-commissioned officers and privates, four stands of colors and 500 stand of arms. Two hundred dead were counted on the field. The sharp-shooting was renewed by the enemy as soon as the prisoners captured were removed to the Confederate rear. The Confederate troops, artillery and infantry, behaved with the greatest coolness and courage in the face of the large numbers of the enemy in the assaulting column in sight, across the lake and not engaged. The repulse was a most bloody one, and the assault was not renewed.

The attack on Col. Morrison's 31st Louisiana, at the mound, was renewed vigorously on the morning of the 29th, beginning at dawn. About noon the fire became general on both sides, terminating only at dark. One regiment assaulted the Confederate position on the left of Col. Morrison's regiment but was repulsed, and, although several apparent attempts were made to assault, only one regiment of the enemy crossed the lake at the dry crossing and it retired at dark. Col. Morrison was reinforced during the day on his left by the 52nd Georgia regiment (Col. Phillips), who assisted very much in the repulse of the enemy. Gen. Barton really commanded Col. Morrison's position at the mound and at his left from his arrival on the morning of Dec. 28th. Although efforts were made by the enemy on Dec. 29th to carry the rifle pits along the lake front and in front of Barton, it was not a very serious attempt and they were kept back by the skirmishers along the lake. At the race-course Gen. Vaughan's skirmishers in front of the abattis were never driven from the abattis. It may be said the only serious assault was made at Chickasaw Bayou and by the 6th Missouri opposite the mound. A very heavy rain fell on the night of Dec. 29th after the battle.

Reinforcements came in on the Confederate side all day during the 29th of December, and a part of Maury's division from Grenada, reinforced Gen. Lee during the night of the 29th and

30th of December. Gen. C. L. Stephenson, whose division was sent from Gen. Bragg's army to reinforce Gen. Pemberton's at Vicksburg, arrived on Dec. 30th and assumed command of the forces in the field, as he was senior in rank to Gen. M. L. Smith. The fire along the whole front sensibly lessened on the 30th and 31st of December, but on the latter day it was found that the enemy was entrenched in his line of battle along his whole front. On the morning of Dec. 31st a flag of truce was sent in by the enemy, signed by Gen. G. W. Morgan, requesting a suspension of hostilities for four hours to bury the dead. Gen. Lee was directed by Gen. Maury to reply to the flag, granting the request, and two hundred dead bodies were carried into the Union line. On Dec. 31st, 1862, and Jan. 1st, 1863, it was evident that some movement was taking place and the report was current that an attack was to be made on Snyder's Bluff. Several regiments were held in readiness to reinforce that point, and, Gen. Lee, taking four regiments with him, arrived at the Yazoo river before daylight on Jan. 2nd, 1863. It then became apparent that there was no truth in the report, and Gen. Lee returned at once to Chickasaw Bayou, and with the 2nd Texas and two Tennessee regiments (3rd and 30th), pursued the enemy who were found to be re-embarking on their boats. Col. Withers had already gone with a considerable force along Thompson's Lake to reconnoiter and find out what the enemy were doing. The 2nd Texas was deployed as skirmishers by Gen. Lee and got close to the boats and opened fire on them, but the enemy had about gotten aboard, and were moving off. The boat howitzers opened fire on the Confederate skirmishers for a short time, and then the boats disappeared down the Yazoo river. Hebert's brigade had arrived at Snyder's Mill Jan. 1st, 1863, and about the time the enemy re-embarked, reinforcements had arrived in sufficient numbers to enable Gen. Pemberton to take the aggressive, had he so desired. Up to that time the long line of battle of the Confederates was scarcely sufficiently defended against the great army in its front.

Gen. Sherman, after the repulse of his assault, Dec. 29th, visited Admiral Porter and arranged for 10,000 troops to disembark in front of Snyder's Mill before daylight on Dec. 31st, 1862, and also on Jan. 1st, 1863, and assault the works at that

point, the gunboats to take part in that attempt. The fogs on the Yazoo prevented the carrying out of these plans at the appointed time. It was then thought best for the remaining troops to embark on the afternoon of Jan. 1st and abandon the object of the expedition. This was done and it was ordered that all troops should be aboard by sunrise of Jan. 2nd, 1863, and that the expeditionary force return down the Yazoo river to the Mississippi river. This order was executed.

This campaign was managed with great skill by Gen. Pemberton and Gen. M. L. Smith, who were in command at Vicksburg until the arrival of Gen. Stephenson on Dec. 30th, 1862. The entire Confederate loss was 63 killed, 134 wounded and 10 missing, total 206. The troops actually engaged (according to report of Gen. M. L. Smith) were, under Gen. Lee at Chickasaw Bayou and Snyder's Bluffs, 10 regiments of infantry and 3 batteries, and under Gen. Barton (from mound to city), five regiments and a battery. In all there were 15 regiments and four batteries (not exceeding 8,000 men). The brigades of Gens. Vaughan and Gregg were in position near the race-course, but scarcely engaged. Gen. Vaughan's loss was eight killed and ten wounded. The reports show no loss for Gen. Gregg.

Gen. Sherman in his report says, "Behind this was an irregular strip of beach or table land on which was constructed a series of rifle pits and batteries, and behind that a high, abrupt range of hills, whose scarred sides were marked all the way up with rifle trenches, and the crowns of the principal hills presented heavy batteries. And his. line connecting these was near fourteen miles in extent, and was a natural fortification strengthened by a labor of thousands of negroes, directed by educated and skilled officers." The General was entirely in error in most of these statements, as fully explained in this paper. The Confederate line was naturally strong, but lacked a great deal of the presentation the General's report gives it.

The Union loss was over 1,929 men in this expedition.

The following troops from Mississippi were in the battle: The 3rd, 4th and 46th Mississippi Regiments of Volunteers, and Companies A, D, E and G of the Regiment of Mississippi Light Artillery, and Ward's Battalion of Artillery.

SHERMAN'S MERIDIAN EXPEDITION FROM VICKSBURG TO MERIDIAN, FEB. 3rd to MARCH 6th, 1863.

BY STEPHEN D. LEE.

In July, 1863, the Confederacy was cut in two by the capture of Vicksburg and Port Hudson, including the Confederate garrison, composing the army of Gen. Pemberton, which had been used to keep the Mississippi river closed to navigation, and to preserve communication between the States of the Confederacy on the east and west of the great river. At the close of the Vicksburg campaign, the river and its tributaries were almost in full and complete control of the Federal government, being protected so thoroughly from Cairo to New Orleans by the fleet of Admiral Porter, composed of heavy and light gunboats, that it was difficult for even an individual to get across. It was essentially free from annoyances, even of field batteries and riflemen on either bank.

About the time of the surrender of Vicksburg and Port Hudson Gen. Joseph E. Johnston, who had succeeded in collecting a Confederate army of 30,000 men near Jackson, Miss. (the present effective force being about 28,000 men), had moved towards Vicksburg to attempt its relief. He had arrived in the vicinity of Mechanicsburg when, on July 4th, he heard of the surrender of the city. He immediately retreated to the city of Jackson, arriving there July 7th, and placed his army in the entrenchments surrounding the city from the river on the north to the river on the south. Gen. Sherman followed with an army of about 50,000 men, arriving before the city on the 9th day of July. The two armies faced each other in the attitude of besieged and besieging, from the 9th to the night of the 16th day of July, when Gen. Johnston, seeing his danger, crossed over Pearl river and marched towards Meridian, Gen. Sherman pursuing beyond Brandon, Miss. It appears that it was Gen. Sherman's intention at that time to crush the Confederate army, or drive it out of the State of Mississippi, and destroy the railroads. There was then a great drowth and the heat was so intense that he decided to postpone further pursuit, and

return to Vicksburg, intending at some future time to penetrate the State and drive out any Confederate forces that might be found. During these operations the Confederate army lost 600 men in killed, wounded and missing. The Federal army lost 1,122. The occupation of Jackson by Grant's army in May, 1863, began the cruel side of the war in the wanton destruction of private as well as public property, which destruction was emphasized especially by Gen. Sherman in all his campaigns to the close of the war. He reported July the 18th, 1863, "We have made fine progress today in the work of desolation, Jackson will no longer be a point of danger. The land is desolated for thirty miles around." The destruction of private property ever marked the progress of Gen. Sherman's armies. Raymond, Jackson and Brandon had already felt the shock, and monumental chimneys for the most part marked their former locations.

In the meantime Gen. Sherman had carried most of his army to East Tennessee to assist Gen. Grant in his operations against the Confederate army under Gen. Bragg. He returned to Memphis Jan. 10th, 1864, and began at once to prepare an army to go in to Mississippi from Vicksburg as far as Meridian or Demopolis, Ala. His first step was to order that the Memphis and Charleston railroad be abandoned. He had a large force guarding the Mississippi river, one division at Natchez, McPherson's 17th army corps at Vicksburg, Hurlbut's 16th army corps at Memphis, and about 10,000 cavalry in West Tennessee, including Gen. W. Sooy Smith's command from Middle Tennessee (about 40,000 effectives). With this large force and the great Mississippi gunboat and ironclad fleets operating with these troops, a diversion was to be made on Mobile, Ala., by Gen. Banks and Admiral Farragut. An expedition was also to ascend the Yazoo river from Snyder's Mill, consisting of five gunboats and five transports with several regiments of infantry.

As stated, Generals Pemberton's and Gardner's Confederate forces had been captured, and there remained in observation of this large force in Mississippi two small divisions of Confederate States infantry—Loring at Canton, and French at Jackson, about 9,000 men with several batteries. Gen. Stephen D. Lee, with four brigades of cavalry, Stark's, Adams's and

Ross', composing Jackson's division, and Gen. S. W. Ferguson's brigade, which had been drawn from Northeast Mississippi, covering the country from opposite Yazoo City to Natchez, Miss. (over 300 miles), and numbering about 3,500 effectives. Gen. Forrest was south of the Tallahatchie river in Northwest Mississippi, picketing towards Memphis and the Memphis and Charleston railroad, his force numbering about 3,500 men. The entire Confederate force in Mississippi did not exceed 16,000 men.

This was the condition of affairs in January, 1864. The concentration of troops at Vicksburg and the marshaling of 10,000 cavalry in West Tennessee was duly observed and reported to Gen. Polk, commanding in Mississippi. Spies reported the force as consisting of an army of four divisions of infantry with the usual complement of artillery and a brigade of cavalry, making an army of over 26,000 men, to move from Vicksburg early in February. Another column of 7,000 cavalry, under Gen. W. Sooy Smith, was to move from West Tennessee direct to Meridian to meet the army under Gen. Sherman from Vicksburg near that point, and then the combined forces to go either to Selma or Mobile, as might be indicated. Gen. Sherman was to hold Lee's Confederate cavalry and any infantry in his front, and Gen. W. Sooy Smith was to engage Forrest with his cavalry force, which outnumbered Forrest by double as many men.

To meet the enemy, Gen. Lee concentrated his cavalry in front of Vicksburg, along the Big Black river, and near the Yazoo river. On January 28th the Yazoo river expedition began to move. Federal cavalry advancing on the Yazoo City road from Snyder's Bluff on the Yazoo. This force was met by Ross' Texas brigade and driven back. On Feb. 3rd Federal infantry began crossing the Big Black river at the railroad crossing and six miles above, at Messenger's ferry, distant from Vicksburg 12 or 15 miles, and rapidly drove in the cavalry pickets on the two roads leading to Clinton. Early on the morning of Feb. 4th there was severe skirmishing on both roads, the enemy deploying their force in the open country and steadily driving back the brigades of Adams and Stark in their front, their troops being in full view. The day's operations, in causing the enemy to develop their forces from actual observa-

tion, from prisoners, scouts and other sources, in flank and rear of their columns, fixed the force as consisting of two corps of infantry and artillery (16th and 17th), commanded respectively by Generals Hurlbut and McPherson, and a brigade of cavalry under Col. Winslow. The entire force was about 26,000 effectives, with a comparatively small wagon train for such an army. The Yazoo river expedition started about the same time and it was intended to divide and to hold a part of Lee's Confederate cavalry, so that no concentration could be made against Gen. W. Sooy Smith's column, who was ordered to start about the time Gen. Sherman started from Vicksburg. The two expeditions displayed the too great resources Gen. Sherman had to bring against the small force of Confederates in Mississippi.

An incident near the old battle field of Baker's Creek is worthy of being recorded. The enemies' infantry deployed was moving forward gradually, pressing back Adams' brigade, dismounting and fighting them in a swamp. While thus engaged the Federal brigade of cavalry came charging down on their rear and flank, and on their lead horses. The moment was critical, as Adams was almost too hotly engaged to withdraw on short notice. The two escort companies of Gen. S. D. Lee and W. H. Jackson alone were mounted and near at hand, numbering about 90 men all told. Maj. W. H. Bridges, of Texas, was temporarily connected with the command, an officer for just such an emergency. He was ordered to lead the two companies against the Federal brigade, and hold them in check. It was a choice command, fearlessly led, and it did the work assigned it, but with the loss of the noble leader and many of his followers. The dash saved Adams' brigade, which was retired mounted, and moved over Baker's Creek. At the same time Griffith's Arkansas regiment was thrown into the woods near the bridge, thus permitting the two escort companies to sweep over the bridge, when gradually pressed back by the superior numbers of the Federal cavalry following, and just as the Federal infantry had got through the swamp and were moving towards the bridge. The Federal advance was checked by artillery across Baker's Creek, which also enabled the Arkansas regiment to get over the bridge.

On Feb. 5th the Confederate cavalry was gradually pressed

back to Jackson, where it arrived about dark, passing out on the road towards Canton, to enable Gen. Loring's infantry division to cross Pearl river from Canton, moving towards Morton, on the Jackson and Meridian railroad; a regiment was also sent across Pearl river, to cover the front of the enemy, if they tried to cross Pearl river at Jackson. This regiment was also to destroy the pontoon bridge over Pearl river. Gen. French with two small brigades at Jackson, and Gen. Loring at Canton, had been advised to cross Pearl river, owing to the large forces of the Federal army, and their rapid advance. As soon as it was ascertained that Gen. Sherman was crossing Pearl river at Jackson, Gen. Loring, who had marched towards Pearl river from Canton, crossed and united his division with Gen. French's near Morton, on the Jackson and Meridian railroad. Ferguson's brigade covered Loring's command on the Clinton and Canton road. Gen. Lee also crossed with two brigades of Jackson's division (Adams' and Stark's) and with Ferguson's brigade, which was sent to get in front of the enemy and cover the retreat of Gen. Loring's two divisions. Jackson, with Adams' and Stark's brigades, was ordered to operate on the flank and rear of the enemy on his march at Brandon and Pelahatchie Stations. Gen. Ross, who was operating on the Yazoo river, was ordered to abandon his operations there and march to join his division under Gen. W. H. Jackson.

As soon as Gen. Polk was fully advised of the large force under Gen. Sherman, and of the cavalry column which was to move from the north, he decided that his force was too small to give battle. He had drawn a part of the Mobile garrison to Meridian as a reinforcement, but considering Mobile as the most important place in his department and fearing that Sherman would move towards Mobile instead of Meridian to meet Admiral Farragut and Gen. Banks, he ordered Gen. Lee on Feb. 9th to move all his cavalry from the rear and the north of Sherman's line of march, to the south, to protect the Mobile and Ohio railroad, so that he could return the troops he got from Mobile, and could also be able to reinforce that point if necessary with additional troops. He could not understand why Sherman had Meridian as his objective point. Gen. Polk at the same time ordered Gen. Ferguson's brigade from the front of Gen. Sherman's advance to the south, in order also to

protect the M. & O. railroad. Gen. Lee, on arriving at Newton Station, on the 11th of February, met Gen. Ferguson. He at once saw that Gen. Sherman was going to Meridian and not to Mobile, and caused Gen. Ferguson to retrace his steps and again get in front of Gen. Sherman.

In the meantime, Gen. Sherman, after crossing Big Black river on two different roads, advanced rapidly to Jackson, arriving there on the morning of Feb. 6th. He crossed Pearl river on the 6th and 7th of February, and pressed out towards Brandon on the road to Meridian, arriving at Brandon on Feb. 7th, at Morton Feb. 9th, and at Meridian Feb. 14th at 3 p. m., the Confederate infantry and cavalry gradually falling back before him.

Gen. Lee made a dash at some wagons near Decatur. The enemy was found moving with every precaution, their trains perfectly and judiciously arranged with each brigade, no furling parties out, and their large infantry force ready to punish any ill-advised attempt on their column. Col. R. C. Wood's Mississippi Regiment disabled about 20 wagons, but could not bring them off, as the infantry advanced on him from the front and the rear of the column. This was found to be the case wherever an attempt was made by the cavalry to impede the march.

On the 13th Gen. Polk ordered Gen. Lee to again get to the north of Gen. Sherman's line of march, as he proposed to evacuate Meridian and march with his infantry towards Demopolis, Ala. The enemy arrived at Meridian at 3 p. m. Feb. 14th, the Confederate cavalry retiring towards Marion Station. On this date (Feb. 14th), Gen. Polk issued an order placing Maj.-Gen. Stephen D. Lee in command of all the cavalry west of Alabama. That officer at once put himself in rapid communication with Gen. Forrest, who was then concentrating his command near Starkville, Miss., to check the large cavalry force, which had left Collierville, on the Memphis and Charleston railroad, and was rapidly moving southward in the direction of the Mobile and Ohio railroad and towards the great prairie region. For some reason this cavalry force of 7,000 men had delayed a week in starting to join Gen. Sherman.

From Feb. 15th to the 20th, Gen. Sherman, while at Meridian, was engaged in destroying the railroad in every di-

rection, north, south, east and west, for this purpose placing two divisions of infantry on each road. The road was destroyed for 12 miles in each direction, making a destruction of about 50 miles of railroad. Attempts to stop the work were made by the cavalry, but the enemies' force was too large to hinder it. In addition to destroying the railroads, they destroyed the city of Meridian, burning most of the houses, depots, hotels, boarding houses, and all vacant houses and those near them. On Feb. 20th, Gen. Sherman began his return march to Vicksburg. One of this corps took the road on which he came through Decatur to Hillsboro, the other marching from Lauderdale Station, on the M. & O. railroad, by Union to Hillsboro, the latter corps feeling northward, hoping to hear of or find Gen. W. Sooy Smith's command, which Sherman had ordered to join him at Meridian about the 10th of February. The cavalry brigade (with Gen. Sherman), was also detached as far north as Louisville and Philadelphia, and circled west and south through Kosciusko to Canton. The two corps met at Hillsboro and moved across Pearl river to Canton, marching on two separate roads. They remained at Canton several days, devastating and destroying the town and country for miles, and then returned to Vicksburg.

In the meantime (Feb. 17th), Gen. Lee, under orders from Gen. Polk, left only a few regiments to watch the army of Gen. Sherman at Meridian and moved with all of his disposable force northward to unite with Gen. Forrest in an attempt to crush the cavalry column under Gen. Smith, estimated by Gen. Forrest at 7,000 men. Lee put his four cavalry brigades (Ross had joined him the day before in the vicinity of Marion Station), in motion on the morning of Feb. 18th, and reached Line creek north of Starkville (and 9 miles southwest of West Point), on the morning of Feb. 22d. It was found that the enemy had begun a hasty retreat early on the morning of Feb. 21st. Gen. Forrest, as soon as he knew the probable destination of this cavalry column, concentrated his command in the vicinity of Starkville, and on the 20th had a part of his force at West Point, one brigade being in front of the town. He had up to this time offered no opposition to the advance of the Federal cavalry. He intended avoiding a battle, until the arrival of Gen. Lee's force, which was rapidly approaching, and he offered slight

opposition at West Point, retreating across Sookartonchie creek, three miles from West Point. Gen. Forrest knew that Gen. Smith's force of 7,000 well-equipped cavalry would outnumber his command when united to Gen. Lee's, and he believed also that there would be trouble in avoiding a battle before the junction of the two commands.

Gen. Sooy Smith began his march with his cavalry (7,000) and an infantry brigade on Feb. 10th, a week later than Gen. Sherman had expected him to start. Under cover of the advance of his infantry, he moved eastward with his cavalry to New Albany, then towards Pontotoc, and to within a few miles of Houston, where he moved due east to Okolona; he then moved south down the Mobile and Ohio railroad to Prairie Station (15 miles north of West Point), where he concentrated his command. On Feb. 20th he moved his entire command to the vicinity of West Point. Here he encountered the first Confederate brigade drawn up in line of battle a mile out of the city. After a slight skirmish the brigade retired before him through the city, and on the road towards Starkville over Sookatonchie creek. Gen. Smith, on arriving at West Point (Feb. 20th), heard of the approach of Gen. Stephen D. Lee's cavalry from the direction of Meridian, and had it confirmed from prisoners and deserters taken on the evening of the same date, when Forrest was retiring, and being followed across Sookatonchie, to await the arrival of Gen. Lee's command.

Gen. Smith, although he had fought no battle, and had met with no opposition to amount to anything on his march from Collierville to West Point, suddenly determined to retreat, and issued orders for his command to begin the return march early on the morning of the 21st of February. He says in his official report "Exaggerated reports of Forrest's strength reached me constantly, and it was reported that Lee was about to reinforce him with a portion or the whole of his command." To cover his retreat he moved one of his brigades towards Sookatonchie creek and attacked a part of Gen. Forrest's command on Feb. 21st. A fight lasted about two hours, when Forrest, with his usual perception and vigor, began to believe a change of operation had occurred in his front, and with a regiment and escort he began a headlong charge, breaking through and driving the enemy before him. He found that Smith was rapidly retreating

northward. He at once had all his command rushed to the front in pursuit, overtaking the enemy near Okolona, where he began crowding him, and gradually driving him from position to position, capturing six pieces of artillery, this pursuit was kept up to near Pontotoc, on February 22d and 23d, where it was abandoned except by a small force. Gen. Forrest had about exhausted his ammunition, and could follow the enemy no farther. The retreat was very rapid, the itinerary and reports showing that in the first day's retrograde and movement (Feb. 21st), a part of the command marched 37 miles and had to remount with captured horses, abandoning many of their exhausted stock. It is difficult to understand this headlong retreat, except that the enemy was fearful of being cut off by cavalry's getting in their rear. It is difficult now to speculate as to the results had Smith not retreated. It was a great disappointment to Generals Lee and Forrest. Their united forces numbered a little less than 7,000 effectives, while Smith had that number. With a soldier's pride the Confederate commanders looked forward to the greatest cavalry battle of the war, where 14,000 cavalry were to meet in deadly conflict on one field. It was arranged that as soon as Gen. Lee arrived Forrest was to take his entire force to the rear of Smith, and cut off his retreat, while Lee was to battle in front, and in front and rear the battle was to be fought to a final issue. It was a great disappointment when it was found that the Federal general declined battle, but made one of the most headlong, hasty retreats during the war, before an inferior force in pursuit, not numbering over 2,500 men.

Gen. Stephen D. Lee, as soon as he learned from dispatches from Gen. Forrest of the rapid and headlong retreat of Gen. W. S. Smith and his cavalry back towards Memphis, put his cavalry command again in motion to overtake Gen. Sherman's command on its way to Vicksburg. Gen. W. H. Jackson overtook the enemy in the vicinity of Sharon, Madison county. He found the enemy desolating and destroying the country in every direction. He soon drove in all foraging parties and confined their movements to one or two roads and a limited area. Gen. Sherman's army recrossed Big Black river, March 6th, on its way to Vicksburg. The official reports show that in the three columns, Sherman's, Smith's and the Yazoo river expedi-

tion, that the Federals lost in killed, wounded, and missing 912 men, and that Gen. Forrest lost 144 men, and Gen. Stephen D. Lee 279 men, or only 423 men in all. These reports also show that Gen. Lee's cavalry was in the saddle actively engaged from Feb. 1st to March 4th, and that the command marched from 600 to 800 miles during that time.

It is difficult to understand the military object of Sherman's campaign. He says it was "to strike the roads inland, so to paralyze the Rebel forces, that we could take from the defense of the Mississippi river the equivalent of a corps of 20,000 men to be used in the next Georgia campaign, at the same time I wanted to destroy Gen. Forrest, etc." He did destroy over 50 miles of railroads, but he did not destroy Forrest, although his cavalry column of 7,000 men was probably the best equipped veteran cavalry that ever went into the field, and outnumbered Forrest's freshly raised men two to one. The railroads in 26 working days were thoroughly repaired and in as good running order as they were before his campaign, and this work was done by Major George Whitfield and Major Pritchard, of the Confederate quartermaster department.

The campaign, however, did demonstrate how few troops the Confederacy had, and that it was a shell, and all the fighting men were in the armies at the front, and only helpless women and children and negroes occupied the interior; that the few troops in Mississippi had to fall back until the armies at the front could be weakened to meet any new army not in front of the main armies; that Gen. Sherman could easily, at almost a moment's notice, take 30,000 men from the garrisons on the Mississippi river and move into Mississippi. Gen. Sherman was outgeneraled by Gen. Polk, and his expedition was devoid of military interest, but was most remarkable as bringing out clearly the harsh and cruel warfare waged against the Confederacy. Gen. Sherman in his official report says he "made a swath of desolation 50 miles broad across the State of Mississippi, which the present generation will not forget." In his orders to Gen. W. S. Smith, he tells him "to take horses, mules and cattle, and to destroy mills, barns, sheds, stables, etc.," and to tell the people "it was their time to be hurt." He literally carried out his plan to "make old and young, rich and poor, feel the hard hand of war as well as the organized armies." The

reports of the Confederate commanders show, that with the above given license the enemy regarded nothing in the way of property, public or private, as worthy to be spared. Gen. Stephen D. Lee in his official report says: "On line of march the enemy took or destroyed everything, carried off every animal, 8,000 negroes, burnt every vacant house, destroyed furniture, destruction was fearful." The track of the Federal column was marked by wanton destruction of private property, cotton, corn, horses, provisions, furniture and everything that could be destroyed. The people were left in absolute want. A Federal correspondent who accompanied Sherman estimated the damage at \$50,000,000, and three-fourths of this was private property, Meridian, Canton, and other towns being almost totally destroyed. It is painful now, when we are again a reunited and prosperous people, and the worst memories of the war have been relegated to the past, to recall this sad recollection, but the truth of history demands that the facts be given as they really were.

THE CAPTURE OF HOLLY SPRINGS, MISSISSIPPI, DEC. 20, 1862.

BY J. G. DEUPREE.¹

As a survivor of the raiders that rode into Holly Springs, Mississippi, before daybreak on the morning of Dec. 20, 1862, I have been asked by Dr. F. L. Riley, Secretary of the Mississippi Historical Society, to write an account of that daring and successful adventure. In compliance with his request, I submit the following statement of facts as recalled after a lapse of nearly forty years. I may add, however, that I have refreshed and reënforced my own recollections by reading such meagre accounts of this expedition as I can find in all accessible histories, as well as by statements of fellow-survivors, especially that furnished me by Comrade S. B. Barron, of the Third Texas Cavalry, now living at Rusk, Texas.

The battles of Iuka and Corinth had been fought. General Grant renewed his purpose to push south down the Mississippi

¹ Dr. J. G. Deupree is of French-Huguenot extraction. He was born in Noxubee county, Miss., in 1843. After preparation under Prof. D. G. Sherman, an alumnus of Yale and a cousin of Gen'l Wm. T. Sherman, he entered Howard College at Marion, Ala., and two months before the close of the session of 1861 received his B. A. degree. He enlisted at once as a private in the First Mississippi Cavalry, and served continuously for four years, sharing in the capture of a Federal battery on the field of Shiloh, in the famous raid into Holly Springs, in the brilliant cavalry engagement at Thompson Station, as well as in many other bloody engagements on horse and on foot.

After the close of the war, he married Miss Nellie Durham, whose ancestors came from England and settled in Maryland and Virginia. He and his wife became teachers and under their tuition many of the most eminent men and women of Mississippi have received educational training. Dr. Deupree took his M. A. degree in regular course; and, in recognition of his scholarly attainments the degree of LL. D. was conferred upon him in 1884 by the South Western Baptist University. He has filled with marked success Chairs of Latin, Greek, English and Mathematics, in denominational colleges, and now holds the responsible position of Professor of Pedagogy in the University of Mississippi. He is regarded as among the broadest and most accurate scholars in the State and is often styled the Nestor of Mississippi Educators. He has been a voluminous writer for educational periodicals, and as editor of the *Mississippi Teacher* became noted as a writer of forceful and elegant English. Still in mind and body, he may well anticipate many years of honorable service before he is called to his reward above.—EDITOR.

Central (now a part of the Illinois Central), then connecting Jackson, Tennessee, and New Orleans, La., with the ultimate aim of reducing Vicksburg. He had at his disposal about 80,000 men. Of these, Sherman in command of 18,000 moved from Memphis to Chulahoma, protecting the right wing, while Grant himself led the main body through Holly Springs. At the same time, Washburne, with 12,000 men, moved eastward from Helena, Ark., threatening the rear of the Confederate army on the south bank of the Tallahatchie and forcing them to retire to a new line on the Yalobusha. General Earl Van Dorn was now without a command, having been superseded by General J. C. Pemberton, recently transferred to this department.

Grant advanced to Oxford, some of his leading divisions pushing on to Water Valley, covered by a cavalry force operating as far south as Coffeeville. Grant and Sherman at once devised a plan of future coöperation. Sherman was to return to Memphis, organize a new army of four divisions, proceed down the Mississippi, unite with Steele at Helena, and with the aid of gunboats attack Vicksburg by way of the river. Grant, meantime, was to crush Pemberton's army and advance to the rear of Vicksburg by land. If reinforcements should be sent from Vicksburg to the army in Grant's front, Sherman would have an easier task to capture the city; but if, on the other hand, reinforcements should be sent from Pemberton's army to Vicksburg, Grant's task would to that extent be lightened. Grant had repaired the railroad as an artery of communication with his base at Holly Springs, where he had collected supplies of every kind in quantities sufficient to maintain his great army during a protracted campaign. Sherman went back to Memphis to prepare for his part of the program. Grant was daily advancing his lines and strengthening his position. His cavalry were active in all directions, watching front and flanks, destroying everything of conceivable use to the Confederates, and especially prohibiting and intercepting such communications as the Confederates would attempt in flank and rear. It was about the middle of December. Col. Dickey had been dispatched by General Grant with a force of 1,000 cavalry to cut the M. & O. R. R. and to destroy the vast stores of corn collected along its line for the support of Bragg's army in Middle Tennessee.

Lieut. Col. Griffith, commanding the Texas Brigade of Cavalry, had joined other cavalry commanders in a petition to General Pemberton, urging him to organize a cavalry raid to operate against Grant's communications and to place General Van Dorn in command of the cavalry for this purpose. Accordingly the cavalry was organized. The Texas brigade was commanded by Lieut. Col. Griffith, the Tennessee brigade by Col. W. H. Jackson, and the Missouri and Mississippi brigade by Col. Bob McCullough, the three brigades being united in a corps of cavalry under General Van Dorn, with instructions to cover the front of Pemberton's army and to retard the progress of Grant as much as possible.

The Confederate cavalry were on the north bank of the Yalobusha river. Col. McCullough's brigade, consisting of his own Second Missouri Cavalry and of Col. R. A. Pinson's First Mississippi Cavalry, were at Antioch church. By the way, as this church was much used by officers and soldiers for playing poker, its name was accordingly changed from Antioch to Ante-Up. On the night of Dec. 16th, the Deupree Mess, containing six Deuprees, of Co. G, First Mississippi Cavalry, were bivouacking at a large fallen oak, against the base of which they had built their camp-fire, putting their pistols, carbines, and saddles in the tree-top, and hanging their canteens, haversacks, and coats on the limbs of this prostrate monarch of the forest. About 2 o'clock next morning there was a rapid discharge of firearms. The company, the regiment, and even the brigade were aroused. Believing a night attack had been made upon them, they promptly armed themselves and fell into line. A Federal regiment in the vicinity likewise heard the firing, and under the like apprehension of a night attack rushed to arms. But Col. Bob McCullough with stentorian voice shouted from brigade headquarters: "What in the h—ll is all that shooting for?" He was informed that it was nothing but the discharge of pistols and carbines in a burning tree-top. During the night the fire had spread along the log from the stump, fed by bark and leaves and brush, consuming coats and haversacks, and discharging the firearms. So soon as the cause of the disturbance was known, quiet came and the men fell asleep as usual. But some of us had lost our only coats and had to go without.

Late in the afternoon of the 17th, rations for three days were

issued and orders received for McCullough's brigade to mount and fall into column. We soon joined the brigades of Jackson and Griffith, making a total of about 2,500 cavalry, and the march began towards the east. The report was soon spread through the command that we were to go in quest of Col. Dickey. Perhaps this rumor was designedly set afloat, that it might reach the Federals; it evidently did, for in one of Grant's intercepted dispatches it was stated that Van Dorn had gone after Dickey, and Cols. Mizener, Hatch, and Grierson were ordered to follow up Van Dorn, and by all means rescue Dickey. All night we rode, halting in the morning of the 18th after sun-up to feed horses. Before noon we passed through Pontotoc. Here the good ladies and sweet maidens stood on the streets with baskets and dishes filled to overflowing with all manner of edibles, which we seized in our hands as we rapidly passed along. Our scouts, who had scoured the country north and east, reported a large force of Federal cavalry coming from the direction of Tupelo. This was known to be Col. Dickey's command. We thought that Van Dorn would halt his column and prepare to destroy or capture Dickey. To our surprise he seemed only anxious to move on and leave Dickey behind. Hence, a detachment of Dickey's men were encouraged to pursue us. They fired a few shots and captured some of our men who had fallen behind the command. The colonel commanding our rear regiment sent a courier to notify General Van Dorn. He came up the column in a sweeping gallop. To pass from the rear to the front of a long column of cavalry, moving by twos, is quite an undertaking, but the courier finally reached the General. With a military salute, he said: "General, my Colonel sent me to inform you that the Yanks have fired into his rear." "Are they still in his rear?" inquired the General. "Yes, sir," answered the courier. "Well, you go back," said the General, "tell your Colonel that the Yanks are just where I want them, if they are in his rear." But Dickey had no serious intention to pursue us. But it is interesting to note how adroitly during this entire expedition Van Dorn managed to keep all the forces of the enemy behind him who attempted in any way to interfere with the execution of his plan. As soon as the way was clear, Dickey passed through Pontotoc, hastening back to Oxford to report the destruction he had ac-

complished on the M. & O. R. R., and to inform Grant that Van Dorn's cavalry had gone north through Pontotoc on the morning of the 18th. As we afterwards learned, he gave Grant this information on the afternoon of the 19th, and Grant immediately wired the facts to his garrisons along the line of the Mississippi Central R. R., warning them to be on the lookout for Van Dorn, who was evidently intent upon interrupting his communications somewhere. Reinforcements from Abbeville and Waterford were to be hurried into Holly Springs, and all the cavalry save Dickey's jaded command were to push on after Van Dorn and capture or destroy him.

In going north from Pontotoc, Van Dorn crossed all roads leading towards Holly Springs, thus creating the impression that we were marching into Tennessee through Ripley. Scouts of the enemy could be occasionally seen hovering on our flanks and rear, watching our movements, so as, if possible, to ascertain our destination. From all they could see or hear, they were led to conclude that Van Dorn's design was to attack Bolivar, Tennessee.

On the night of the 18th we camped on the river at New Albany. We were jaded, having been in the saddle almost continuously for thirty hours or longer. Horses and men were soon asleep. About midnight or a little later, a fearful storm arose; the rain fell in torrents, flooding the camp, compelling the men to get up, wade about in water from two to three feet deep, gather up saddles, guns, pistols, etc., and move out to higher ground. Here, again, we reclined on the wet ground and at once fell into a sound sleep, from which we were not aroused till the bugle call, about sunrise on the morning of the 19th.

The wind from the north had driven the clouds away; the day was bright and beautiful and cold. Within an hour the entire command was in column and on the march, headed towards Ripley. A strong rear guard was maintained to watch for any Federals that might be rash enough to pursue us too closely. Towards the east and west and north, we kept out scouting parties to warn us of the approach of any hostile parties of cavalry that might be coming towards us. About noon, in order to assuage the stomachic gnawings of the hungry Texans, who had long since devoured all the rations issued

them at Grenada, Van Dorn promised that on the morrow we should have rations in abundance, and so the impression was produced that Van Dorn had big game in sight.

Soon the head of the column was turned towards Holly Springs, and the precaution was taken to arrest everybody going in that direction. Late in the afternoon the column was halted long enough to feed horses. Remounting, we moved on; and, as night began to fall, additional means were devised to prevent or intercept any possible tidings of our approach. To this end guards were stationed at every house we passed, lest some one might undertake by a shorter route to get ahead of us and inform the enemy of our movements. After striking the Ripley and Holly Springs road, we increased our gait, with the view of outriding any one who may have been watching us with the intention of reporting to the commander at Holly Springs.

About 10 o'clock the command was divided into two columns, marching on parallel roads. Within about five miles from Holly Springs we were halted and allowed to dismount, but required to stand to horse ready to mount at any moment. No fires were permitted. It was bitter cold; those of us without coats suffered, although we had put on every available shirt. This writer remembers he had on six. Pickets were posted on every road or path leading towards Holly Springs, to arrest any spy or traitor that might attempt to warn Col. Murphy of our coming.

Some time before day began to dawn, an order was quietly passed along the column to mount and form fours in the main road. It chanced to be in order for the First Mississippi Cavalry to be the advance regiment of McCullough's brigade. Lieut. S. B. Day was in command of an advance guard of twenty men, and the front four were Groves Dantzler, J. G. Deupree, W. D. Deupree, and Bob White. The order was promptly given to the whole command on both roads to move forward at a gallop, to capture the pickets of the enemy, or pursue them so closely that no alarm could precede us. The wisdom of the order was appreciated, and it goes without saying that it was obeyed with alacrity. The First Mississippi was to enter Holly Springs from the northeast, charge through the camps of infantry without halting to receive surrenders or to

engage in battle, but at once attack the cavalry when discovered. The Second Missouri were to dismount at the edge of town, charge on foot, and capture or disperse any infantry that might be encountered. The Texas brigade was to approach from the east, coming in by the R. R. depot, and thus prevent reinforcements from surprising us in that direction; and a detachment of Texans was also posted so as to prevent surprise from the south. The Tennessee brigade was to approach from a northerly direction, preventing possible reinforcements from Bolivar, as well as watching the dirt roads coming from Memphis on the west.

As we approached the town, we increased our speed. The First Mississippi rode through in a sweeping gallop, ignoring the infantry, though many of them, awakened and startled by the charge, ran out of their tents in night attire and fired into our column, wounding nearly every horse in the advance guard and several of the men. As we rode on towards the Fair grounds in search of the Federal cavalry, Col. Neill and Maj. Mudd were forming the Second Illinois Cavalry into line to call the roll and go look for Van Dorn, who had been reported as coming. Brave and courageous, they boldly drew sabres and charged upon us. Without undertaking to tell all that occurred in this melee, I give only a few incidents that came under my own observation. D. S. Purvine, Orderly Sergeant of Co. I, clashed with an expert swordsman and was dangerously cut in the face and neck, when our Adjutant Billy Beasley came to his rescue and sent a bullet through the head of the Federal. Little Jerry Beasley, a lad of fifteen summers, brother of the Adjutant, was about to be cut down by a stalwart enemy, when Lieut. Day shot the bold rider with arm uplifted to let fall the fatal stroke. Our Major Wheeler had his thumb cut off in a sabre duel with a Federal officer. Assistant Adjutant Lawrence Yates was seriously wounded in the forehead, and the blood gushed from the long deep cut, flooding his face and neck; but with his own pistol he slew his antagonist. My own horse had been shot twice as we came through the infantry, and here he received a third and fatal wound and fell suddenly to the ground. I had experienced many *ups* and *downs*, but this was one of the most serious of the *downs*. The peculiar sensation of a falling horse was somewhat like that I felt the first time I

stepped into an elevator to go down, when the whole world seemed to be falling and carrying me with it. But I simply made breastworks of the dead animal until I could get the horse of the Federal with whom I had been engaged, after the rider had been shot by myself or some comrade. Promptly mounting the Federal charger, I was soon with my command chasing the routed Illinois cavalry.

Many thrilling deeds done by Federals and Confederates can never be known. The First Mississippi met a foe worthy of their steel in the Second Illinois. Nerve was required to make and nerve required to receive that furious charge. Pistols in the hands of the Mississippians proved superior to sabres wielded by the hardy sons of Illinois, and the gallant Pinson with his reckless Mississippians finally vanquished and drove from the field the rough riders of Illinois.

Some Federal officers and soldiers annoyed us by firing at us from adjacent houses in which they had taken refuge. The two Roussees and Wohleben were together when one of the Roussees was killed. Seeing whence the shot came, and observing through the glass door a party of Federals in the front hall of a house engaged in hostile demonstrations, they fired, killing two and wounding a third. The others then came out and surrendered. But, all in all, few of our regiment were killed, though many were wounded, most of them but slightly with sabre strokes. As victors, we arranged to care for the wounded, sending them south by way of the east.

Meanwhile, the Texans, the Missourians, and the Tennesseans had entered the town almost simultaneously by different routes. Col Murphy's infantry had surrendered and our victory was complete. Texans and Tennesseans were holding in check Federal reinforcements coming from the south. The 4,000 men dispatched by Grant to aid Col. Murphy were pushing on as fast as possible. Holly Springs and the immense stores were entirely in our possession; but we knew only too well that we must do our work quickly, and we grimly set about the task before us with the determination to do it effectually. Standing on the tracks near the depot was a long train of box-cars loaded with rations and clothing just ready to be sent to the front. The torch was applied and the train consumed. A

regiment was detailed to guard the prisoners, while others were engaged in the work of destroying the captured property.

Holly Springs was at this time the rendezvous of a large floating population, following in the wake of Grant's army. Speculators were here to engage in the contraband cotton trade. Army sutlers were here procuring supplies from stores established by Northern merchants. Many officers, too, were here on duty, either in garrison or in the quartermaster or commissary departments; and thinking themselves perfectly safe, they had taken residence with their families and were living on amicable terms with the natives, though the latter made no secret of their sympathy with secession and the Confederacy. All these aliens were captured, swelling the total number of prisoners to more than 2,500, but women and children and personal property were undisturbed. However, all that belonged to Uncle Sam, including the cotton, was regarded as properly due the captors. Hence no scruples were felt in applying the torch to what could not be carried away. The sight of such an abundance of clothing, supplies of all kinds, blankets, provisions, arms, ammunition, medicines, etc., etc., for the use and comfort of a vast army, was overwhelming to thinly-clad and hungry Confederates, who had never seen anything like it before. The depot buildings, the round-house, and every available place was packed full to overflowing. Scores of houses up town were likewise filled. The Court House was filled, and the public square contained hundreds of bales of cotton. A large brick livery stable was packed with unopened cases of carbines and Colt's army six-shooters. A large brick store-house was likewise filled with artillery ammunition. After appropriating all we could use or arrange to carry away, the work of destruction was pushed with vigor. From about 7 o'clock a. m. till about 4 o'clock p. m., we were engaged in burning this immense collection of army stores. Depots of provisions were first plundered and then burned; sutler shops shared a like fate; whiskey flowed in streams, causing more or less disorder, as a few soldiers, blue and gray, imbibed too freely. Cotton speculators were required to share their money with the victors, but were allowed to witness the conflagration of their stolen cotton without personal restraint.

The scene might well have been described as "wild and ex-

citing: Federals running; Confederates yelling and pursuing; tents and houses burning; torches flaming; guns popping; sabres clanking; negroes and abolitionists begging for mercy; women, *in dreaming robes* and with dissheveled hair floating in the morning breeze, clapping their hands with joy and shouting encouragement to the raiders; a mass of frantic, frightened human beings, presenting in the frosty morning hours a motley picture, at once ludicrous and sublime, which words are impotent to portray."

Mrs. U. S. Grant was in the city, residing in the stately mansion of the late Harvey W. Walter. Of course, she was undisturbed and none of her personal property was touched. In consideration of the courtesy shown his wife, Gen. Grant gave this house a safe-guard and a guarantee during the remainder of the war against search or trespass or devastation by Federal parties that might afterwards have occasion to be in Holly Springs. Several times after the Federals had given up the permanent occupation of Holly Springs and the little city lay between Federals and Confederates, our scouts, closely pursued by hostile cavalry, took refuge in this safe asylum, whose sacred threshold the enemy would not dare to cross. As a consequence of Grant's guarantee, this house was spared while many others were burned, and it still stands as a monument of Grant's appreciation of Southern chivalry.

By a little after 4 o'clock in the afternoon all the property of Uncle Sam, save what we could appropriate, had been destroyed, estimated as worth between \$2,000,000 and \$4,000,000. The prisoners had all been paroled. We resumed our march northward, hoping to capture other garrisons and to destroy more Federal property. On leaving Holly Springs, our entire command was the best equipped body of cavalry in the Confederate service. Every trooper had from two to six pistols, one or more carbines, one or more sabres, and all the ammunition, rations, blankets, shirts, hats, boots, overcoats, etc., his horse could carry. With our new overcoats on, it was difficult to tell us from Federals. As we moved on separate roads a day or two afterwards, with overcoats on to protect us from a freezing rain, each column suddenly coming in sight of the other was mistaken for Federals, and for a time a battle seemed im-

minent; but on a display of flags, each column was identified as Confederates.

As we moved out of Holly Springs we saw in the distance clouds of dust, indicating the approach of the Federal infantry and cavalry Grant had sent to reinforce Murphy. They were too late. We could not wait to welcome them, and Murphy did not care to see them. His chagrin he would prefer to bear alone.

We continued our march till late at night. On the following morning, we made an attack on the fortified post of Davis' Mill, which was so gallantly defended that Van Dorn wisely concluded it would not be worth the lives it would cost to capture it. At Cold Water we also found the garrison too strongly posted to admit of capture without excessive loss. The same was the case at Bolivar. At Middleburg we found a garrison of about 250 men under Col. Graves, of the Twelfth Wisconsin. We demanded their surrender and received the gallant and curt reply: "If you want us, come and take us." We wanted them. The Sixth Texas accordingly dismounted and made several charges upon the brick church in which the Wisconsans had taken refuge, and from which through holes in the walls they poured deadly volleys into the ranks of the Texans. Nevertheless, according to the courteous invitation that had been extended, the Texans would go right up to the house, but the Wisconsans refused to open the door and let them in. With great reluctance the Texans retired. With but a single piece of artillery, this garrison, as well as those of Davis' Mill and Cold Water, might have been easily captured.

But Grierson, Hatch, and Lee, with 2,000 cavalry and mounted infantry, were at our heels and threatening to crowd us; and, as nothing was to be gained by lingering here or by proceeding north, Van Dorn turned his column eastward and later towards the south, returning through Ripley, New Albany, and Pontotoc, keeping up a constant battle for several days with his cautious pursuers, and at the same time beating off the forces under Mizener and others that attempted to intercept us at Ripley and New Albany. We reached Grenada after an absence of thirteen days, during most of the time continually fighting by day and riding by night. Horses and men were thoroughly exhausted, and all were glad to get rest again.

But we had accomplished one of the most daring and successful cavalry raids of the war. In consequence of the loss of so important a post as Holly Springs, Col. Murphy was dismissed from the service in a stinging order by General Grant, said order to take effect on Dec. 20, 1862, the memorable date of his capture. The destruction of his stores at Holly Springs was an irreparable loss to Grant. His army was suddenly deprived of sustenance. To replace his winter stores he must at once put into working order the entire line of railroad to Jackson, Tennessee, at that time the northern terminus of the Mississippi Central, and thence repair the M. & O. R. R. to Columbus. Ky. But Forrest had so completely destroyed this road that two or three weeks would be necessary to restore it. It may be mentioned in this connection, too, that the Memphis and Charleston had been so thoroughly destroyed when the Confederates first evacuated Corinth, that Grant had never undertaken to repair it. Besides, with the fear inspired by the dashing Van Dorn and the reckless Forrest, Grant apprehended it would not be feasible to maintain railroads in working order. Hence, deeming his position untenable, he fell back to open communications by dirt road to Memphis. Not daring to subsist his army on the country with Pemberton in his front and the dare-devil cavalry on flank and rear, he wisely decided to abandon this line of attack altogether and to prepare to move his army down the Mississippi river to Vicksburg.

Sherman, in the meantime, ignorant of what had occurred at Holly Springs, and of the consequent retreat of Grant, had proceeded with his part of the prearranged program and landed his forces on the bank of the Yazoo river, attacking Stephen D. Lee at Chickasaw Bayou. The account of Sherman's defeat has been well given by Gen. Lee, and it is mentioned here only because of its connection with the agreement of coöperation made by Grant and Sherman. Grant was certainly foiled by the capture of Holly Springs, and Sherman might not have failed so completely if Grant could have pressed forward and held the Confederates in his front, so as to prevent the timely reinforcements of Lee.

In conclusion, I may join with Comrade Barron in his statement, that from the beginning of this raid into Holly Springs, I served under the immediate command of General Earl Van

Dorn till his untimely death at Spring Hill, Tennessee. Speaking from memory and after an experience of four years in the cavalry service, under various leaders, including the "game-cock" Chalmers, the impetuous Forrest, the cautious "Red" Jackson, and that all-around successful soldier, S. D. Lee, I must express the opinion that a more chivalrous soldier was not found in either army than Earl Van Dorn; and as a cavalry commander, I do not believe he had a superior on the Continent of America.

THE BATTLE AND RETREAT FROM CORINTH.

BY COL. JAMES GORDON.¹

The difficulty in securing correct war history is not only from the reticence of veterans in regard to their valorous deeds, but

¹ Col. James Gordon was born in Monroe county, Miss., Dec. 6, 1833. He was graduated at the University of Mississippi in the class of 1855. During the last four or five years he has resided at Okolona, Miss. Previous to his removal to that place he was from early infancy a resident of Pontotoc county, Miss. His father, a native of Scotland, was a gentleman of culture and refinement. His mother was a Virginian by birth, a descendant from the Waltons of Revolutionary fame. Col. Gordon inherited from his father the beautiful estate, "Lochinvar," and up to the outbreak of the war between the States he was numbered among the millionaire planters of Mississippi.

He raised the first company of cavalry that entered the Confederate service from North Mississippi, arming and equipping it at his own expense. This company, of which he was captain, went directly to Richmond and was attached to the Jeff Davis Legion under the command of Gen. Stewart. In 1862 Capt. Gordon returned to Mississippi and recruited the Second Mississippi Regiment of cavalry, of which he was made colonel. He took a conspicuous part in the battle of Corinth and in Van Dorn's retreat to Holly Springs. During the war he took part in thirty-three battles and skirmishes.

At the battle of Thompson Station Col. Gordon captured Gen. Shafter and by kind treatment established a friendship between them which lasts until the present day. The Hon. John Coburn, who commanded the captured brigade, requested permission of Gen. Cheatam to present his sword to Col. Gordon in consideration of his kindness while escorting the prisoners from Thompson Station, Tenn. to Tullahoma. The petition was endorsed by Generals Polk and Bragg and the sword was duly presented. When Grierson's command made a raid through Mississippi, Col. Gordon's wife showed this sword to Adjutant Woodward and this saved the old home from being burned by Federal soldiers, who were applying the torch, as a guard was given to protect the property.

In 1864 Colonel Gordon was sent to England by President Davis to purchase a privateer for use in the service of the Confederacy. After discharging this service successfully, he entered upon a checkered career, being first prostrated by sickness, then confined in a Federal prison-ship and finally becoming a Confederate refugee in Canada. While in the latter country he met J. Wilkes Booth, from which fact he was unjustly suspected by the Federal authorities of implication in the assassination of President Lincoln. After taking the oath of allegiance to the United States in 1865 he returned to his old home in Pontotoc county.

Colonel Gordon has represented his country in the legislature during several terms, and has for years taken an active part in the political affairs of the State.

He has contributed to the columns of many journals and periodicals under the *nom de plume* of "Pious Jeems."

A more detailed sketch of his life will be found in *Goodspeed's Biographical and Historical Memoirs of Mississippi*, vol. I., pp. 805-7.—EDITOR.

from the fact that a soldier's knowledge is limited to that portion of the drama in which he was a participant, where he could only see what was done in the part of the field where he was engaged, and had only a vague idea of what was transpiring elsewhere. Therefore in reviewing the battle scene of Corinth, I must be pardoned if I can only give testimony to the part in which I was an eye-witness, and not immodest in relating my own experiences during the battle and retreat.

I had the honor of commanding the Second Regiment of Mississippi Cavalry, Armstrong's Brigade, which I had raised and drilled in camp of instruction at Columbus, Miss., during the summer of 1862. And reported to Gen. Frank C. Armstrong in August at Baldwyn, Miss., and found him after years of service under his command as true a friend and chivalrous a knight as ever drew sword for the land we loved. By some mistake my regiment was first known as the Fourth Mississippi Cavalry, which has caused some confusion, as it was afterwards given its proper place on the roster. But in the war records Col. Falkner's Partisan Rangers is given credit for some of our achievements. We marched with Gen. Price's army in September to Iuka, which was intended to draw Rosecrans from Corinth, which Gen. Van Dorn was to attack with a force from Greenwood. On the morning of September 13th, Armstrong's cavalry made a dash on Iuka and drove the enemy out, capturing a quantity of supplies and sutler's stores, sufficient for our army for weeks, but the infantry got possession and used them so lavishly that in a few days rations were growing short. After a week's inactivity Rosecrans marched out from Corinth and gave us battle. The day closed after a well contested fight with no material advantage to either side, but being short of provisions, early next morning we retired before a vastly superior force, by way of Bay Springs, closely pressed by their cavalry until I led them into an ambushade where we crossed a bottom, and had masked batteries on the hill with Rogers' brigade of infantry, that fired into them, stopping further pursuit. We reached Baldwyn the next day and hastily prepared three days' rations and began our march for Corinth. On the first of October we met Gen. Van Dorn with Lovel's corps, who took command as we marched on. As we bivouacked the night before reaching Corinth an accident prevented our taking

it by surprise, a body of Federal cavalry passed in rear of our army and carried the news of our approach to the enemy. We struck the Federal outpost at Chewalla, six miles west of Corinth and drove the cavalry back to the protection of the infantry, who were entrenched behind formidable breastworks erected by the Confederates after the battle of Shiloh. As we marched gaily forward Gen. Price's Mounted Band kept well up in front of our column, just in rear of our skirmish line, yet out of range of the retreating Federal cavalry. In the rosy realm of childhood my fancy had pictured the bands discoursing martial music while the soldiers were fighting. Old Pap Price's band soon disabused my mind of this fairy tale. The woods resounded with that popular air "Listen to the Mocking Bird." When we came in sight of the entrenchments one of those big guns opened with a terrific roar and a huge shell came humming overhead and struck an oak where it forked, about twenty feet above us, splitting it in two, scattering fragments of limbs back and splinters among the musicians. The Mockingbird hushed its dulcet strain and the boys shouted with glee as the band and negro camp followers "*skedaddled*" to the rear. The ball had opened and it was a different tune we danced to the rest of the day. As the infantry moved forward and engaged the enemy I marched around the earthworks until my left flank rested near the Mobile & Ohio R. R. north of Corinth, where I halted behind a blackjack thicket, awaiting orders, when I observed a section of King's battery, that had been following, turn towards the enemy, and dashing up in gallant style to an elevation, prepared for action, but prompt as they were, those daring Missourians had ventured too far, and before they could bring their guns into action, a regiment of Federal infantry lying concealed in the hollow arose with a cheer and charged them. There was no time for hesitation or awaiting orders. I instantly dismounted my regiment, and, passing through the thicket that had concealed me, charged the enemy in flank and drove them from the guns, which they endeavored to turn on me, but failed to do so before my gallant Mississippi boys were on them, and the Missourians, seeing help at hand, rushed to the guns and poured a terrific fire into their disordered ranks. There was a gallant Federal officer riding an iron-gray horse utterly regardless of danger, a conspicuous

mark for our rifles, attempting to rally his men, when our battery opened the brave fellow fell a mangled corpse, "dead upon the field of glory." I drew my breath and hushed a shout of exultation as I saw him fall and his men, completely demoralized, beat a hasty retreat. I breathed a sigh of regret as I halted in passing the body of my fallen foe, while my men drove his comrades from the field to the protection of the breastworks. My Adjutant, Lieutenant James A. Wiley, and myself were the only officers remaining mounted, and one of those incidents of battle comes back to mind more vividly than more important events. While riding up and down my line of battle directing the movements of my command, a sharp-shooter had esconsed himself in my rear in the railroad cut behind some bushes, and brought his rifle to bear on me. His sights, I suppose, were a little too elevated, as he shot, a twig fell on me from a limb I had bowed under in passing. I saw him drop back into the ditch, but there was a fascination in the spot and I could not help watching for his re-appearance until I saw him rise and take another crack at me. I felt the wind of the ball as it touched my moustache in passing. The next time he arose and as I saw he was about to shoot, I involuntarily dodged, which saved me, as the ball struck across the back of my neck, knocking me forward on the neck of my horse, making a black bruise, but not breaking the skin, yet the pain was so severe I thought I was shot through the neck. It was the most demoralizing experience I ever had during my career in the army. I did not care for the bullets from the enemy in front, they were honest foes, but to have a skulking assassin in my rear picking at me and distracting my attention was more than I could endure, and I resolved to get rid of him, so I selected a sandy-haired, freckled-faced fellow in the ranks, who had an impediment in his speech, and, touching him and the comrade beside him, pointed out the spot where the sharp-shooter hid, told them to go and kill him and bring me his gun. They started off at a double quick. I watched them close in on him, and as he attempted to retreat, they fired and he fell. My stuttering friend returned, holding up a beautiful Sharp rifle as he said, "By-by-by G—d, Colonel, I ga-ga-got his gun," and I may add the brave fellow carried it gallantly through the war and had it at his home in De Soto County the

last time I saw him. In the meantime as far as I could see our men were victorious all along the line. An hour more of daylight and Corinth would have been captured, when night cast her mantle of stars over the first act of the bloody drama. I can never forget that mild October night, with its thousands of starry worlds looking down upon our wearied soldiers sleeping upon the ensanguined field where silence reigned. The fierce rebel yell, a sound that could never be produced except by Southern voices, was hushed, and as the veteran dreams of the glories past, that fierce yell, so terrible to the foe, still lives in the deep chambers of his heart, and rising from the depths steals gently o'er the sea of memory in songs of Dixie land. As the morning star arose, Van Dorn's signal gun awoke the slumbering host, which was intended to open the fight. The enemies guns replied all along the line of fortifications in our front. It was a grand pyrotechnical display as the hurtling shells came humming overhead with the burning fuse blazing like a comet's tail, then bursting and scattering fiery fragments that fell like meteoric showers. Just before dawn a large reinforcement of the enemy had passed into Corinth from above. Our cavalry had torn up the railroad twelve miles north of the city and the Federal troops had marched all night, reaching Corinth wornout with fatigue. Van Dorn's plan, as he told me afterwards, was to begin the attack on the left when the signal gun fired, striking the enemy in echelon of brigades. Had his orders been executed the history of that day would have been different. The worn-out reinforcements could not have resisted the impetuous assault of our army flushed with the victory of the preceding day. A fatal error caused a delay that brought disaster. The officer who should have been ready for the dash at dawn was asleep in a farmhouse, and couriers were riding in every direction in search of him, and it was nine o'clock before he was found, by which time the enemies reinforcements had breakfasted and refreshed themselves with sleep behind intrenchments protected by heavy guns. It was ten o'clock before the attack was made and then Gen. Price made the advance from the centre, before which lay Battery Robinet, frowning with heavy guns and bristling with rifles, its approach being protected by fallen trees with the limbs sharpened, and through this terrible abattis it was

necessary for our troops to pass before they could reach the formidable breastworks that seemed impregnable. I have witnessed many a battle scene, and read thrilling accounts of others, but cannot conceive of anything that human courage could dare more desperately grand than the splendid charge of the brigade led by the gallant Colonel Wm. P. Rogers through the tangled mass of obstructions, with cannon roaring and belching forth great shells that burst as they tore through the Confederate ranks, while grape and canister raked the earth with iron hail, accompanied by the cracking of thousands of rifles from a foe protected by earthworks, whose volleys crashed and rung from out the sulphurous canopy of smoke that enveloped them, filling the air with hissing balls. Yet on those brave men pressed amid an atmosphere choking with dust and laden with missiles of death. At times the line would reel and stagger and the enemy would cheer a wild huzza as a flag went down with its fallen bearer, but another devoted hand would raise it, and above the din of battle, the thunder of artillery and crash of small arms would rise a shout of defiance, as that grand old rebel yell would burst forth, and with a desperate valor that no tongue can describe or pen portray, the grey line would close its ghastly gaps and still press on until they reached the red earthworks heaped up behind a yawning ditch, where, with the flash of guns in their faces, they rushed against that wall of fire and bristling steel, and with a yell following the gallant Rogers, the bravest of the brave, who with the glorious banner of stars and bars in his hand, mounted the breastworks and leaped upon the foe, where a desperate hand-to-hand fight with bayonet and clubbed guns was fought that beggars description, but saddest picture of all, amid the heaps of dead lay the embodiment of that splendid courage of which heroes are made in the person of the brave Col. Rogers, while over their fallen chief his men who loved him fought on, driving the enemy in full retreat through the streets of Corinth until they reached the hotel and raised the Confederate banner over it with shouts of victory. Price's corps had whipped the fiercest battle ever fought on Mississippi soil. But where were the troops that should have reinforced them from the right? Gen. Lovell's corps, for some unaccountable reason, failed to come to their support. They had accomplished all that mortal

valor could do. Rosecrans was preparing to retreat, expecting attack from our right, but when it failed he attacked the worn-out Confederates with fresh troops in overwhelming numbers and forced them back over the ground they had won with such intrepid valor. And here I may add to the credit of our foe, Gen. Rosecrans buried the noble Rogers with the honors of war. As Price's corps were falling back I received an order to report with my command to Gen. Lovell on our extreme right. I was compelled to pass through Price's shattered columns, which I did as speedily as I could, and pushed on until I neared the place where I expected to find Gen. Lovell. I saw a long line of grey pushing the enemy before them, so I halted my command behind a hill to protect them from the enemy's fire as we were not out of range, and proceeded alone to look for Gen. Lovell. I found him under fire directing the movement of his men fighting in front. He was a blond, light-haired, military-looking man, dressed in a handsome Major-General's uniform, riding a richly caparisoned steed. The bullets were hissing and singing unpleasantly numerous around him as I rode up, and, saluting, introduced myself, stating my business. He replied, "I've no use for cavalry. Look at those men, Colonel, isn't that beautiful?" Sitting on a horse under fire, away from my own command, with nothing to do, is not so fascinating as to the officer directing the movements of his troops. I confess I should have enjoyed it more from a less exposed position. Brig. Gen. Phifer's brigade was just in front of us and I could see that my old college friend, Charlie Phifer was gallantly performing his duty. Just then a courier dashed up with orders to Gen. Lovell to withdraw his men from the fight. Turning to me, he remarked, "I don't understand this, Colonel. I've got a position here, and I can whip anything that can come out of Corinth or hell, and by G—d, I don't want to leave it." I replied "Perhaps you are not aware, General, that Price's corps has been cut to pieces and are in full retreat, and your command is all that are engaged now and you will soon have the entire Yankee army down on you." "Is that so? Then I want you to cover my retreat." He withdrew his men from the fight and they marched off in as perfect order as if coming from dress parade. It was handsomely executed. As they passed out by me I moved my command to the top of the

hill in plain view of the enemy, but strange to say, they seemed so staggered by the Confederate charge and surprised at their withdrawal they never fired a shot at me, although within rifle range, and when I retired I was not followed. I overtook Lovell's command about two miles west of Corinth resting by a small branch eating their dinners. He then ordered me to go south about five miles to guard a road leading out from Rienzi, as he apprehended being cut off by a column from that direction. I was to remain there until sunset, then overtake him. I proceeded to the place designated and remained until sunset without any adventure. In the meantime my scouts reported a large force of the enemy having passed on the north of me in pursuit of our army. I was in a dilemma, with a column of the enemy on my right and ahead of me, another expected from the rear and Tuscumbia river on my left, which I must cross if I escaped capture, and in addition to my responsibilities, a squadron of the 1st Mississippi Cavalry, Col. R. A. Pinson's regiment, having been cut off and lost, reported to me and fell in with my command. I had sent out and tried to procure a guide, but failed, so I sent an order down my line for each man to follow his file leader and struck out with the hope of finding a ford across Tuscombria river. Night gathered in gloomy folds around me as I peered through a hazy atmosphere and entered the sombre shadows of Tuscumbia river bottoms, where, if I chanced upon the enemy with my column stretched out for two miles, my command was likely to be stampeded. I took my course by the few friendly stars that gave but a feeble light to guide me through a labyrinth of wilderness, and as a shadowing cloud obscured their rays I felt the trees as I passed along, for the moss on the north side told the way to the enemy. From my boyhood I had hunted much with hunters and trappers in the Mississippi swamps, and learned lessons in woodcraft not taught in military schools, but most useful adjuncts to a military education. Among other things in my experience in the swamps was to trust to the instinct of cattle in finding a ford, which is almost infallible, and fortune favored me in striking a cow trail leading towards the river, which I followed carefully in the dim light until I reached their crossing, where in spite of an ill-omened owl that snapped his beak as he flitted across the stream into the gloom beyond,

I rode boldly in, leading my column safely over, where I breathed a prayer of thankfulness for having extricated my command from a dangerous position, and was fortunate in reaching the pickets of Lovell's corps, who directed me to his headquarters. I woke him up and reported. He seemed surprised and pleased to see me, and cordially grasping my hand, exclaimed, "I am glad to see you, Colonel. I feared you had been captured, as I saw no way for you to get out. Where did you find a guide?" "I had no guide, General." Then you know this country." "I never was here before." "Then how did you get out?" "By being a bear hunter and skilled in woodcraft." It was an unfortunate avowal that caused me to be placed in many a tight place in later campaigns, but it gave my men a confidence in my ability to extricate them from any kind of difficult situation. I fear I am digressing, but that march and the responsibilities attending it through the dismal swamp the night after the battle left a more fearful impression on my mind than anything that occurred when exposed to the enemy's fire, and I relate it here to impress the growing youth with the feelings of an army officer when the lives of his men depend upon his judgment and promptness in execution, and where his reputation may suffer irredeemably from a mistake on his part. The next day our army was cut off at Hatchie Bridge by a large force from Bolivar, Tennessee. Price's Missourians formed line of battle on a ridge in front of a road along which our wagon trains passed, while the enemy were held in check. In the meantime a bridge was hastily constructed at an old mill, over which our wagon train escaped, followed by our infantry skilfully withdrawn from the battle, their retreat being covered by our cavalry falling back in good order, holding the enemy in check, fighting from every available position until we passed Ripley, the enemy pursuing no farther. The cavalry had no access to the wagon train since leaving Baldwyn, and the three days' rations had long since disappeared.

The cavalry soldier usually consumed his rations the first day, trusting to luck for the next two. I had tightened my belt for three days and when the friends of Capt. James Ruffin's company from De Soto County sent the boys a wagon loaded with provisions, one of them gave me a large slice of old red

smoked bacon, which I devoured raw and dropped down at the foot of a tree and slept for an hour, the sweetest sleep of my life. The bugle call awoke me refreshed and invigorated. We resumed our march until we reached Holly Springs, where we met the exchanged Fort Donaldson prisoners. Why we had not awaited their arrival before attacking Corinth I could not comprehend. It would certainly have changed the result of the battle of Corinth. But the fates were against us. "The stars in their courses fought against Sisera." At Holly Springs we rested until Grant moved out from Memphis menacing us with a largely superior force. We retired across the Tallahatchie at Abbeville, where we remained until Grant compelled us to retire. We had a small fight at Oxford, then again at Water Valley. As I was leading a charge there I nearly ran over Col. Jacob Thompson, whose horse was killed under him and he was feeling around for his spectacles. He had resigned his position as Secretary of Interior in President Buchanan's cabinet to join the South. At Coffeeville we had a severe fight, where we led the enemy into an ambuscade and gave them such a thrashing they retired to Oxford. We then went into winter quarters at Grenada, from which place Van Dorn started on his brilliant raid to Holly Springs in rear of Grant's army, where he destroyed his ordnance and commissary stores, compelling Grant to retreat to Memphis, which ended the campaign of 1862 in North Mississippi.

Note.—Col. William P. Rogers, killed at Corinth, a native of Aberdeen, Miss.

Capt. Frank Rogers, his brother, commanding a company from Aberdeen, Miss., was killed at Fort Donaldson.

WORK OF THE UNITED DAUGHTERS OF THE CONFEDERACY.

BY MRS. ALBERT G. WEEMS.¹

As the 27th of this month (April 1, 1901) will be the fourth birthday of the Mississippi Division of the United Daughters of the Confederacy, and as it was in Meridian that she first saw the light, it is deemed appropriate to review her short life and to show how far she has succeeded in realizing the objects of her conception. I will give a "plain unvarnished tale," confining myself to facts and figures, feeling that they need no embellishment to convince the reader that this Division is a prodigy. She is truly the beloved child of my heart and mind, in whom I am well pleased.

I will inform the reader just here of the weight of this infant at her natal hour. She represented five chapters of Daughters, viz: The Columbus Chapter, of Columbus; the Ben G. Humphrey's Chapter, of Greenville; the Okolona Chapter, of Okolona; the Vicksburg Chapter, of Vicksburg; and the Winnie Davis Chapter, of Meridian. The last of these was the charter chapter in the State, the mother of the Division having called it into being. I had the honor of being President of this chapter at that time. The Division was organized with a total membership of 303.

Mrs. Duncan, of Vicksburg, was the foster mother of the Division and directed her first steps so well that she did not fall into the errors of extreme youth that other bodies suffer, but straightway took up her mission and walked. She trebled her avoirdupois in the first twelve months, and since then she has continued to grow in favor with God and man.

The objects of this Division as defined in our constitution

¹ Mrs. A. G. Weems (nee Mrs. Williams) is a native Mississippian, having been born in Okolona. She graduated with honors from Ward's Seminary, Nashville, Tenn., having received the highest reward of merit in the gift of the Faculty; also the German Valedictory.

She has been prominent in all social, literary, religious and patriotic organizations in her city. She is at present an officer in the General Federation of Woman's Clubs, also the President of the Mississippi Federation, but she considers the organization of the Mississippi Division of the United Daughters of the Confederacy the most important work she has accomplished.—EDITOR.

are, "educational, memorial, literary, social, and benevolent; to collect and preserve the material for a truthful history of the war between the Confederate States and the United States of America, to honor the memory of those who served and those who fell in the service of the Confederacy, and to record the part taken by Southern women in their untiring efforts after the war in the reconstruction of the State as in patient endurance of hardship and patriotic devotion during the struggle, to cherish ties of friendship among the members of the Society, and to fulfil the duties of sacred charity to the survivors of the war and to those dependent upon them, to unite with the Confederate Veterans in the determination that American history shall be properly taught in the public schools of the State, and to use its influence toward attaining this object in all private schools."

I will discuss these objects in the order given above and will inform the reader as near as possible of what has been accomplished by the Division. My report is based on what has been printed in our minutes for three years, there necessarily having been much done not noted therein. In the first place an Historian is appointed in each chapter to record all facts she can gather from tongue and pen, from her section, of battles, deeds of heroism, nobility, romance and sacrifice, redounding to the honor and glory of our State, and thus to preserve forever facts of great historical value, a knowledge of which would otherwise perish with the memories that recall them. In addition to this we have a State Historian, who is ever stimulating activity along these lines, realizing the importance of "being up and doing," as the day for such work is already far spent.

The Capitol Commission has been appealed to by our Division to set apart a large room in our new building for the preservation of papers and relics, planning it with niches around the walls for the statues of our great Mississippi Confederate heroes, Jefferson Davis, first and foremost, Stephen D. Lee, Walthall, Barksdale, Featherstone, etc., etc., and for the private soldier, last, but not least.

The second clause in our constitution provides for honoring the memory of those who served and fell in the service of the Confederate States, and for the parts taken by Southern women during the periods of war and reconstruction. The ways

we have sought to accomplish these ends are so manifold that I fain would leave some unmentioned. We have marbleized our love for our sainted dead in headstones by the hundreds, in shafts of heroic size, pointing heavenward in mute eloquence all over our fair State. One recently unveiled in Aberdeen is of beautiful Italian marble, carved in that country most famous for works of art in all the world, at a cost of several thousand dollars. We have not confined our efforts in this line within our own borders, but have assisted in erecting enduring monuments on historic battlefields, Chicamauga, Gettysburg, and others, and added to the Jefferson Davis and the Sam Davis monument funds, to memorial windows, etc., etc.

We have rescued from the ravages of time burial plots of those who wore the gray; fencing, sodding, and planting sweet flowers. In one instance, a chapter, the Winnie Davis, bought from a former slave, the sacred resting place of a number of our soldiers, which he had been cultivating these years.

We celebrate publicly the birthdays of two of our heroes: Generals Lee and Davis. And to stimulate the study of these noble characters, whose examples are so worthy of emulation by our youths, one organization has awarded medals for the best essays on their lives.

We send fair blossoms each spring to distill their fragrance on the resting places of those who sleep far away from home and kindred, under a Northern sun (Camp Chase, etc.), and we also forward money to keep these places in repair. We have fittingly observed Decoration Day, having programs of songs and addresses, in which the children take a prominent part, since our hopes center in them for the perpetuation of our glorious memories.

“With garlands of roses, with hearts full of love,

In fondest remembrance we come

To the city of silence, the land of the dead,

To strew o’er loved forms that rest neath the sod

Blossoms as fair as the dawn” and bedew them with our tears.

Yes—“We cover them over, parents and brother and husband and lover.

We shrine in our hearts these heroes of ours, and cover them over with sweet beautiful flowers.”

We have donated over a thousand dollars to Rouss Battle Abbey Fund. Taking advantage of every opportunity that presents itself to honor and show to the world reverence for our

illustrious dead, we have also earnestly sought to have the cornerstone of our Capitol building laid on the 3rd of June,—the birthday of the President of the Confederacy,—our own Jefferson Davis.

Our organization stands with the foremost in having promptly met the honorable and worthy obligation to furnish with suitable receptacles for our priceless relics, the Mississippi room in the Confederate White House in Richmond. The Daughters' contributions to this purpose have been supplemented by liberal gifts from Mrs. Davis of our loved leader's personal effects and of many objects of historical and sentimental interest belonging to the late lamented Daughter of the Confederacy. We now clamor for the faces of some of our State's valiant soldiers in unperishable oils to adorn these walls.

Our Division was also among the first to come forward with the required amount for the purchase of the famous historical war paintings by Mr. Chapman, to be placed in the same building. Several chapters are securing grounds in different parts of the State and are converting them into Confederate Memorial Parks, by planting in them trees named after our immortals, and by placing in them fountains and statues, and by otherwise beautifying them in such a way as to give splendid object lessons of our loyalty to the cause.

We have organized flourishing chapters of the Children, Daughters and Sons of the Confederacy and of Veterans, which are very enthusiastic and are accomplishing much practical good as well as exciting interest in all things pertaining to the Titanic struggle, and stimulating a thirst for more knowledge on the subject.

We are recording the noble part taken by Southern women, who during the four long, bloodstained years of war, wept, suffered, waited, inspired the soldiers on the field, nursed and cheered the sick, the wounded and the despondent, spun, wove, planted, cared for the children, the slaves, etc., etc. We are not forgetful of her loving services in the bitter, hard, cruel, humiliating days of reconstruction, but we are not building monuments to her since she has voted that not one stone should be put aloft while there is one needy Confederate Veteran living. Is not that an illustration of that love spoken of in the Book of books, "in honor, preferring one another?"

Our next object is "to cherish ties of friendship among members of the Society." Could we do otherwise with such a community of interests? It is the natural outgrowth of being the daughters of one cause, therefore sisters, thrilled by the same inspirations, prompted by the same devotion, commemorating the same period of glory and suffering. There prevails in our ranks a beautiful unity, a blessed harmony, sincerest friendship.

Our constitution also provides that we shall "fulfil the duties of sacred charity to the survivors of the war and to those dependent upon them."

"We do not grudge our sweets to those living,
Who, God knows, finds at best too much to gail,
And then with generous, open hands, kneel, giving
Unto the dead our all.
We do not reserve all the tender tokens,
The love, the praise, the floral offerings,
For we know that palpitating, living hearts are broken
For want of just these things."

We are constantly ministering of our substance (truly love's labor) to our needy veterans in part payment of our debt of gratitude for the losses they so valiantly bore during the crucial years of the sixties. The Vicksburg Chapter, with the assistance of some others, has done a splendid work in pursuance of this object by establishing in connection with the State hospital an annex for caring for the sick, decrepit, and home-needy ex-soldiers, worn out by ceaseless struggles in the battles of life and almost ready to capitulate. The Mississippi soldiers asked no rest during the hard fought battles of long ago; we are now trying to give them the much needed furlough.

This building consists of eight bed rooms, a library, and a bath room, thoroughly equipped and furnished, at a cost of about \$3,500. The State Legislature appropriated \$2,000 and the city of Vicksburg gave the lot. We are making a heroic effort now to build a home for our veterans, wherein they may spend the evening of life in peace and comfort, and we hope ere a few more months have been told on the rosary of the year to see it in process of erection.

The last object named in the charter is "to unite with the Confederate Veterans in their determination that American history shall be properly taught in our schools, public and private. We are doing much to cancel false impressions made upon the younger generation by Northern versions of our his-

tory, and trust that soon these untruthful and unjust records will be replaced in every instance by those of Prof. Riley, Mrs. Williamson, Lee, Lowry, and others.

Now these divers and sundry objects have required, as you may know much and persistent effort on the part of the Mississippi Daughters and an outlay of many thousands of hard earned dollars. But, could we have done less? We of Mississippi, the State which was second in order of secession, which "sent as many of her sons to stand on the first line of fire and to bear their part in every struggle from Pennsylvania to Florida," which was the home if not the birthplace of that "uncrowned King of the Southern people." May we all, as a people, keep less and less our alabaster boxes of love and appreciation to break over our patriots' coffins.

"Let us not wait to tell their story,
And weave the bright garlands of praise round their names,
And crown their cold brows with laurels of glory,
Till vain is the glory and useless the fame."

LOCAL INCIDENTS OF THE WAR BETWEEN THE STATES.

BY JOSIE FRAZEE CAPPLEMAN¹ (STATE HISTORIAN, U. D. C.).

It is with pride and gratification that I give my report for the year 1901. The indifference of which I made complaint a year ago is rapidly giving way to interest in the preservation and perpetuation of our history. The historians of the chapters of the U. D. C. are beginning to realize that they have not only an office of honor, but a solemn and sacred trust; for it is through their patient efforts that the sacrifices, sufferings, and heroic deeds of many of our brave men and women must be made known to the future. I have received reports from five chapters of the U. D. C.,—Corinth, Okolona, Aberdeen, Yazoo City, and Port Gibson—which is a great improvement on the *none* of last year.

I. Some War Reminiscences of Port Gibson and Claiborne County.²

Our Confederate General, afterwards Governor, Benjamin G. Humphreys, was born and lived in this county, and his beloved wife, Mildred Maury Humphreys, whose war reminiscences were so varied and interesting, and who was Honorary Vice-President of the Claiborne County Chapter, U. D. C., was also a native of this county. Here Henry W. Allen, Brigadier General in the Confederate States Army, who was afterwards, Jan. 25, 1864, elected war governor of Louisiana, commenced his career when quite young, as a tutor in my father's family, carrying on the study of law while teaching "the boys," who were his devoted friends and admirers in after years. But they, like Allen, sleep in a Confederate soldier's grave. Gen. Earl Van Dorn was born here, and to our beautiful cemetery only a short time since his sister, Mrs. Miller, had his remains brought from Mobile and interred.

¹A biographical sketch of Mrs. Cappleman will be found in the *Publications of the Mississippi Historical Society*, vol. III., p. 107, foot-note.—EDITOR.

²This sketch was prepared by Mrs. Emma McAlpine Fulkerson, Historian of the Claiborne County Chapter.—EDITOR.

Early in the sixties Claiborne county sent her sons without stint to battle for their rights; acting on this principle, ten fully equipped companies left Claiborne county in 1861. Later in the struggle there were several independent companies, all of which did good service until the close of the war. Many who went out as privates and captains rose to positions of distinction. Among the number were: Gov. B. G. Humphreys, who was first captain, then colonel, and then brigadier general; Henry Hughs, who was promoted from captain to colonel; Sidney Wilson, who became successively captain, major and lieutenant colonel; and Robert C. McCay, who rose from the rank of captain to that of major. James Kennard was made chief of ordnance on Gen. Hardee's staff with the rank of colonel. Charles Bridewell became lieutenant colonel.

In the spring of 1863 our country was thrown into the wildest excitement by the arrival of Confederate troops under command of that brave Missourian, Gen. Bowen, who immediately began fortifying the hill overlooking the Mississippi river at Grand Gulf. Other regiments came, the Texas Rangers, Gen. Wirt Adams' Cavalry, and others, who were received with enthusiasm by the citizens. The fortifications were scarcely completed before the booming of cannon was heard as the Federal gunboats attempted to pass our little fortress at Grand Gulf. To show with what precision our men returned their fire, a surgeon who was on one of these boats at that time, and whom my husband met in Louisville just after the war, told him that the Federal loss on his boat alone during one day's bombardment was 168 killed and wounded, while the Confederate loss of that day was one killed, Col. Wade, and eight wounded. Despite the skill of the Confederates in returning the fire of the gunboats, the enemy succeeded in passing the fortress with transport and in landing Gen. Grant's army at Bruinsburg, near the mouth of the Bayou Pierre, within a few miles of Port Gibson. The battle of Port Gibson which then followed is now a matter of history.

Of the sufferings and deprivations endured by the citizens during that time, it is impossible to tell. To me those days seem like a black dream in the far past. I was only a young girl, but remember how sorrowful my mother used to look and how often she regretted that she had not fired the old

homestead and left before Grant's army reached us. Like many others throughout the country, we often suffered for food being forced by dire necessity to draw rations from the enemy to keep our bodies alive. Negroes, household furniture, provisions, everything was gone, and we were reduced from a state of affluence to that of abject poverty. The county was frequently overrun by raiders, who, for the most part, were the very scum of the North. Several of these raids were in charge of Lieut. Ellet. A number of our citizens and ladies were arrested without warrants or warning, carried to Vicksburg, and held as hostages of war in the common jail, and but for the noble women of that city would have suffered for the necessities of life. Concerning this I have written before in reply to an article published in the *Memphis Commercial Appeal* of June 4, 1899.

Gen. Bowen and his men were much loved and respected by the people during their stay in our midst, and over the graves of eighty-three of these brave Missourians, who lost their lives on that memorable first day of May, 1863, the Claiborne County Chapter has placed headstones to mark their resting places.

The brave Georgian, Gen. Tracy, was also killed here on that day, but his remains were afterwards carried by loving friends to Macon to rest in his home cemetery.

II. Reminiscences of Corinth in the War.³

Corinth from its railway connection was a strategic point and was menaced in 1862 by the Federal forces at Pittsburg Landing. Confederate troops were rapidly concentrated at this place, and going out they met the enemy at Shiloh on a memorable day thirty-nine years ago. On the 3rd and 4th of October of the same year the battle was fought. The town was in possession of the Federals under General Rosecrans and was attacked by Generals Price and Van Dorn, who were repulsed. If there is a place within the boundaries of the Union that has smelled the breath of war, that place is Corinth. Many of the old redoubts, which at one time encompassed the town, still remain to tell of the fearful conflict that once raged over them. The history of the war contains no bloodier page perhaps than that

³ This sketch was prepared by Mrs. Jennie Gaston Henderson, of the Corinth Chapter of the U. D. C.—EDITOR.

which records this fiercely contested battle. The official Confederate reports make their loss 505 killed, 2,150 wounded, and 2,188 missing.

On the green slopes of the earth works those who vainly hurled themselves against these fortifications lie buried. The grave of only one is known of all the brave Confederates who perished in that fearful assault. The intrepid Col. W. P. Rogers, of the Texas Infantry, lies buried just where he fell within ten yards of the enemy's guns. His heroic death is a matter of history. He led in the assault on Fort Robinette, and with scores of his brave men falling around him, yielded up his noble life under his colors, which he had planted upon the enemy's stronghold. His deeds of heroism won the admiration and reverence of both armies, and a generous foe gave him a military burial, with the honors of general. After thirty-nine years the Daughters of the Confederacy have had a neat white marble curbing put around the grave, with a promise that it will from this time be kept green.

III. Reminiscences of Okolona in the War.⁴

Okolona, though a little inland town during the war between the States, had its history, as well as more noted places. Its men fought as bravely and its women suffered as heroically as many whose names are known and honored by their country's worshipers. As is indicated by the Indian word Okolona, which means "still water," this place and the surrounding country had no running streams. During the long summer months of war when the soldiers would stop at a house and ask for water, we are told that some of the farmers sold it to them.

No women ever showed greater patriotism than the women in and around Okolona. The better class of our men and boys volunteered in '61 and '62, and but few were left for the conscript officers.

After the skirmishes at Corinth, May 1, 1862, and May 14, 1862, and along the Mobile and Ohio railroad, at a later date, Okolona became a commissary depot. Our school buildings were taken for hospitals. It is a well known fact that when the first shells fell in the camps at Corinth, the negro men, who

⁴ This sketch was prepared by Mrs. Bettie Gill-Poore, Historian, Okolona Chapter, U. D. C.—EDITOR.

were the valets of our boys, gathered up their knapsacks and left instantly for home, bringing us the first news of this engagement. News did not travel then as fast as it does now.

The women of Okolona, left at home with the children and the negroes—all the young and middle-aged men being in the army—had to take all the responsibilities of life upon themselves. They not only had to care for the children and the stock, manage the negroes and the farms, but they had to make clothes and food for those at home and for those far away in the army. The long-discarded arts of spinning and weaving and dyeing with the bark of trees were revived. Many a Confederate soldier lies shrouded in the gray made by his wife's hand or that of some other loved one. And we felt as proud in our homespun dress as a queen in her royal robes. After our army left Tupelo in '62, it was very difficult to get sugar or coffee. Blockade runners had their own prices, and a bale of cotton was often exchanged for a sack of coffee, or a load of corn (at \$1.50 per bu.) for a calico dress.

In the spring of '63 Gen. Hatch made a raid on our little town. It was a terrible thing to us women, to hear "the Yankees are coming." Our hearts would throb and our knees tremble at the dread sound. The old men, white and black, would gather up all the mules, horses, and wagons and hurry off to the "Bottoms." The women and children would try to hide and otherwise take care of what was left. It was a difficult thing to do; for some of the negro women would be almost sure to tell where the things were hidden. So, in order to save valuables, the women would often wait until midnight to bury their prized belongings.

After Gen. Hatch had raided Okolona and burned all the commissary stores, he traveled back to Prairie Mount, about six or eight miles and stopped at the home of one of our typical Southern gentlemen to spend the night. As usual, when the enemy were coming the old gentleman had sent off his stock and his negroes. Gen. Hatch made him get on a mule, bareback, and ride all the way to the "Bottoms," under bushes and through creeks, to find the trunks and other hidden valuables, which were rifled, scattering to the four winds papers, notes, etc., not wanted. After enjoying the "fun," as they called it, as long as they wished, they let the old gentleman

return home, but he had to sleep in the hay loft while Gen. Hatch and his men slept on the nice feather beds in the house. As we then had no forces in this part of the country, the enemy took their own time in returning to Memphis.

In the spring of 1864 we were greatly alarmed over the report of another raid. The raiding party was this time along the Houston road near "Suquatouchee bottom." It went into the house of a gentleman (Mr. Ezell), and began to search the bureau drawers to find what they could carry off. Mrs. Ezell, although an invalid, had enough presence of mind to outwit them; for while they were intent upon their search for valuables, she ordered one of the negroes "to blow the horn." The Federals, thinking that this was a signal to some hidden Confederates, left without taking time to make their adieu. Returning to the main line they stopped at the home of Mrs. Gill. Her son, who was exempt from duty, was walking in the yard. The "blue-coats" at once relieved him of his gold watch and chain and pistol. They then went into the smokehouse and took every ham the old lady had.

While that squad was on one road there were others on the other road leading out of Okolona. The "Hessians" rode through the newly built house of a farmer by the name of Cook (almost frightening his young daughter to death) and then burned it. One of their soldiers being ill, a party concluded to spend the night at the home of Mrs. Gill. Father sent word to Gen. Tucker (then in camp one mile west and at home on a furlough), who had only a little band of militia with him. Gen. Tucker sent a posse and took the Federals prisoners. Some of the raiders, having been guided by a trusty "old nigger," found the wagons containing the valuables of the neighborhood and took out of them all the silver forks and spoons. One man brought back some silk dresses and told a lady that the next time she heard the Yankees were coming to keep her dresses in the wardrobe. All the stock was carried off, and a "big burly negro" was mounted on my father's finest horse and was ordered to burn every corn-crib along his way. That night the enemy's route was marked by smoking ruins. Another squad of raiders stopped at the house of a widow, and while searching the smokehouse for meat they came across a

barrel which they thought contained molasses. They soon had full possession and it made the lady laugh to think how surprised the "blue-coats" would be when they found that they had captured only a barrel of *soft soap*.

They continued the raid to West Point and then began to fall back. But they did not depredate upon their return; for Forrest and Tucker were too near for that. At Pikesville they took an old gentleman by the name of Hendricks, put him on a mule and made him ride, bareback, to Memphis, which treatment caused his death. A cartoon came out in a Memphis paper soon afterwards, representing Smith and Grierson on the same mule, traveling very fast, one with his face to the mule's head and the other to its tail,—“Looking for Forrest!”

IV. Reminiscences of Aberdeen and Columbus in the War.⁵

I recall that early in the spring of 1861 a comet appeared with its tail shaped like a sword. The wise said it meant war. One afternoon I had been calling on friends and drove home late; as we turned from Commerce into Meridian street, the whole western sky was aglow and it seemed as if thousands of white tents were pitched there. I never doubted afterwards that we would have war. After Mississippi passed the ordinance of Secession, the first company to enlist from Aberdeen was the Van Dorn Reserves. The captain was John Moore, lieutenant, R. C. Reynolds. Both of these brave men were afterwards colonels of the 11th Mississippi. I was so interested in them that whenever I heard they were to drill I would order out my carriage and drive to where I could watch their manoeuvres. When they left for Corinth to enter the army, we, with other friends, drove eight miles to Prairie Station and carried lunches for them to take on their journey. The scene is still vivid to me when Capt. Moore formed them into line and we walked down it, shaking hands with every man. Those nearest of kin, not content with the grasp of the hands, gave the parting kiss, amid the tears of the tender-hearted sympathizers.

Before our troops left Aberdeen I assisted Mrs. S. J. Gholson and her sister, Mrs. A. Y. Smith, to make a beautiful silk flag, the first I had ever helped to make. We arranged to have it presented to the Van Dorn Reserves, with appropriate cere-

⁵ This sketch is based upon an interview with Mrs. S. B. Haughton, of Aberdeen, Miss.—EDITOR.

monies at the old Fair Grounds. The beautiful Miss Maggie McMillan was chosen to present it, which she did with an eloquent and befitting address. This was responded to by Capt. Moore. We then drove through the streets in a procession,—my husband holding the flag, its lovely folds proudly floating in the breezes. Alas! how tattered and torn it was the next time we saw it—after the close of the war. Its hallowed remnant was amid the decorations on the stage the day (Dec. 12, 1900,) our soldiers' monument was unveiled. I afterwards helped my mother, Mrs. Brownrigg, and my sister, Mrs. Waddell, make another flag for the Tombigbee Rangers, of Lowndes county, of which cavalry company my brother was first lieutenant and afterwards captain. This flag was the stars and bars. After passing through one hundred and fifty engagements, this flag was brought home after the war. It was in the keeping of Gen. Jake Sharp, the first captain of the company, but was unfortunately destroyed with his house and contents by fire in 1899.

I stood on the main street of Okolona the day after the battle of Brice's Cross roads and saw 1800 prisoners file through the town, guarded by Gen. Gholson's soldiers. There were no jeers or taunts given these prisoners by our people, but, in solemn silence, the long procession filed through the streets to the Mobile and Ohio station, where cars were provided to carry them to a place of secure detention. A brigade of Missouri troops (part of Gen. Priest's command) spent some time at Columbus, resting and recruiting after their retreat from McRand Island No. 10 in the Mississippi river. Many of these fine soldiers were barefoot. This we resolved to try to remedy. Mrs. Meek, Mrs. Waddell and myself went to work, got up a series of entertainments, and charged for admittance \$2.50, in Confederate money, or a pair of socks. We had beautiful evenings and crowded houses, and took in, altogether, \$2,000 and 60 pairs of socks, which we had the pleasure of presenting to the needy soldiers.

Generals A. J. Smith and Grierson made another raid into North Mississippi in July, '64, from Memphis. The Confederates, under Generals Lee and Forrest, met and fought them at Harrisburg, two miles from Tupelo, July 14. This was one of the most bloody battles of the war, considering the number

engaged. Our men with inferior numbers attacked Smith's forces in a strong position and were repulsed with heavy loss. But the Federals, being flanked next day, retreated in good order, hotly pressed by Forrest as far as Town Creek. There they fought another hard battle, in which Gen. Forrest was wounded in the foot.

Gen. Forrest had sent to Columbus and pressed all the carriage horses into service, to move his guns for those two battles, and sixty pair of those fine animals were killed in the action. I recollect telling him when I afterwards met him, that I hoped he had saved the hides of the dead horses for making shoes for our soldiers. "Why, Madam," he said "them horses were so hot, they spiled in three hours." We all knew Forrest was a self-made man, and his early education was entirely wanting, but his bravery and patriotism, and far-reaching soldiery qualities over-balanced all other deficiencies. Forrest stayed awhile at Okolona, nursing his wounded foot and while there a committee was sent up from Columbus inviting him there, and offering him the freedom of the city. He accepted the invitation, and was there several weeks until his wound had entirely healed. During that time several of the ladies had a fine silversmith make some of our old silver into a large and beautiful pair of spurs, with deep rowels and large buckles of the same metal. We presented them to our gallant defender, Forrest, as a small token of our gratitude for his inestimable services. I wrote the note of presentation and kept the reply for a long time, but finally lost it, much to my regret. I have often wondered what became of the spurs after the death of General and Mrs. Forrest.

THE FIRST STRUGGLE OVER SECESSION IN MISSISSIPPI.

BY JAMES WILFORD GARNER.¹

Soon after the beginning of the abolition movement in the fourth decade of the last century, a policy was adopted by the government of Mississippi which had as its purpose the attachment of the border States to the extreme South in the event of a disruption of the Union. In 1833, the Legislature passed an act to prohibit the introduction into the States of slaves from the border States intended for sale, its purpose being to compel those States to keep their slaves and thus perpetuate the system of slavery. As the High Court of Errors and Appeals expressed it, "There was fear that if the border States were permitted to sell us their slaves and thus localize the institution, they, too, would unite in the wild fanaticism of the day and render the institution of slavery thus reduced to a few Southern States, an easy prey to its wicked spirit."² In the same year in which the Legislature took this action, a convention was held at Jackson for the purpose of endorsing the course of South Carolina in regard to nullification. Much was said on the subject of "resistance," although no offi-

¹ James Wilford Garner was born on a farm in Pike county, Mississippi, in 1872. After attending the common schools of his county he entered the Agricultural and Mechanical College of Mississippi in 1888, where he worked his way through, graduating in 1892. He then taught in Lincoln and Marion counties and was an instructor in the summer Normals of Mississippi in 1895 and 1896. In the latter year he entered the University of Chicago as a graduate student in Political Science and History. After spending two years at that University he became instructor in Political Science and History in the Bradley Polytechnic Institute of Peoria, Ill. After two years of service at this place he resigned to accept a Fellowship in Columbia University, New York City. He is an active member of the American Historical Association and of the Historical Society of Mississippi, and has taken much interest in the history of his native State. He has recently written a book, entitled *Reconstruction in Mississippi*. An article from his pen on "Mississippi During the Civil War" was published in the June (1901) *Political Science Quarterly*.—EDITOR.

² Mitchell v. Wells, 37, *Mississippi Reports*, p. 254.

In this well known case it was declared to be the policy of the State to preserve and perpetuate the institution of slavery as it existed in the United States, and to this end prevent the emancipation there and elsewhere of slaves once domiciled in the United States.

cial action was taken by the convention with that end in view.³ In 1834, nullification and secession were repudiated by the people of Mississippi acting through their primary elections, through a State convention, and through the Legislature. On June 9 of that year, the Democratic State convention, presided over by General Thomas Hinds, unanimously resolved "that a constitutional right of secession from the Union, on the part of a single State, as asserted by the nullifying leaders of South Carolina, is utterly unsanctioned by the constitution, which was framed to establish, not to destroy the Union." The Legislature passed a joint resolution declaring that it would sustain the President of the United States with heart and hand in the full exercise of his legitimate powers to "restore peace and harmony to our distracted country, and to maintain unsullied and unimpaired the honor, the independence and the integrity of the Union."⁴

It was not until a decade before the civil war that secession in Mississippi was anything more than an abstract question. The initial movement which resulted in attempted withdrawal from the Union may be said to have begun in May, 1849, when an informal meeting of prominent citizens was held at Jackson to protest against the policy of Congress in excluding slavery from the territories. This meeting issued a call to the people of the several counties to elect delegates to a State convention, whose purpose was to "consider the threatening relations between the North and the South." The convention was held at Jackson in October and was presided over by the eminent chief justice of the State, Wm. L. Sharkey, a Whig in politics and a man of decided Union proclivities, although strongly opposed to the policy of Congress in excluding slavery from the territories. This is believed to have been the first general meeting of the people of the State in opposition to the measures

³ General John A. Quitman, a State Rights Democrat, and an extreme nullifier, was one of the prime movers in getting up this convention. United States Senator Foote, afterwards the leader of the Union party in Mississippi, witnessed the deliberations of the convention and subsequently reviewed the same through the columns of *The Mississippian* in language so severe as to highly offend the general. See Foote: *Casket of Reminiscences*, p. 349.

⁴ Speech of Hon. J. A. Wilcox, union member of Congress from Mississippi, March 9, 1852. *Globe*, 32d Cong., 1st Sess., Appendix, p. 284.

of Congress on the slavery question.⁵ It adopted resolutions condemning the policy of Congress and issued an address to the people of the South recommending a popular convention at Nashville in the following June "with a view and hope of arresting the course of aggression." Should this not secure the proper redress, it was suggested that as a possible ultimate resort, the Legislatures of the injured States should call "still more solemn conventions elected by the people to deliberate, speak and act with all the sovereign power of the people." From these conventions there might result a "convention of all the assailed States to provide in the last resort for their separate welfare by the formation of a compact of union that would afford protection to their liberties and rights."⁶ Here was the first open advocacy of secession in Mississippi by a regularly constituted State convention. It will be seen, however, that it was a suggestion of secession only in certain contingencies. It was secession only as a last resort.

In these incipient secession movements one can easily trace the hand of Mr. Calhoun. A copy of the proceedings of the May meeting was sent to him with the request that he advise the people of Mississippi as to the proper course for the October convention to pursue. Mr. Calhoun replied July 9th, giving it as his opinion that the only hope of the slave States was a Southern convention which ought not to be delayed beyond another year. He advised that a central committee be organized for the State at large, and also one in each county; that "firm and determined resolutions should be adopted by such meetings as might be held before the meeting of the Legislature in the fall;" and that the Legislature ought to take up

⁵ Speech of Hon. J. J. McRae, *Globe*, 32d Cong., 1st Ses. Appendix, p. 174. Judge Sharkey in his opening address to the convention said: "The attempt of Congress to prohibit slavery from the territory of California has caused this meeting. The territory is common property. There each citizen of the United States has equal rights, is entitled to equal freedom in the territories. I am proud to say that in acquiring it, Mississippians displayed as much valor as any other portion of their brethren in arms, and shed as much blood in proportion to their number as the citizens of any State. They were distinguished for their prowess in many a hard fought battle, but now they are told that restrictions are to be imposed upon their right to enjoy the conquest. Can we, should we yield the fruits of our valor and surrender with it our constitutional right of equality?" *Globe*, Ibid.

⁶ An extract containing this part of the address is given in a speech by R. B. Rhett, of South Carolina, in the Senate, December 20, 1851. *Globe*, 32d Cong., 1st Ses., App., p. 63.

the subject in the most "solemn and impressive manner." "No State," said he, "could better take the lead in this great conservative movement than Mississippi. It is destined to be the greatest of sufferers if the Abolitionists should succeed; and I am not certain, but by the time your convention meets, or at furthest, your Legislature, that the time will not have come to make the call."⁷

His suggestions were scrupulously followed. The convention was held at the time suggested; Mississippi took the lead; a central committee was organized and local committees were formed in a number of counties; "firm and determined resolutions" were adopted by the convention; and the Legislature took up the subject in the "most solemn and impressive manner" by reserving in the treasury the sum of \$22,200 to enable the Nashville convention to carry out the plan suggested.⁸

The Southern convention which Mr. Calhoun suggested to Colonel Tarpley and which the Mississippi October convention recommended to the other slave States, met at Nashville June 3, 1850, and was presided over by Judge Sharkey, who had been instrumental in calling the convention. Nine States were represented, Mississippi having, according to one authority, eleven delegates, according to another, eight.⁹ Judge Sharkey in his speech upon taking the chair declared that the purpose of the convention was not the disruption of the Union, but its preservation. Mr. Calhoun in his letter of advice to the Mississippi convention had said, "the object of the Southern convention should be to put forth in a solemn manner the causes of our grievances in an address to the other States and to admonish them in a solemn manner as to the consequences which must follow, if they should not be redressed, and to take measures preparatory to it in case they should not be." "The call," said he, "should be addressed to all those who are desirous to save the Union and our institutions, and who, if the

⁷ This letter is dated Fort Hill, South Carolina, July 9, 1849, and is addressed to Collin S. Tarpley, a Justice of the Supreme Court of Mississippi. The full text of the letter is given in Foote's *Speech on the Compromise Measures*, *Globe*, 32d Cong., 1st Ses., Appendix, page 52.

⁸ See on this point a speech of J. A. Wilcox, cited above. *Globe*, *Ibid.*, p. 282.

⁹ Von Holst says Mississippi had 8 delegates in the Conv.; Rhodes puts the number at 11; Cluskey's political text book gives the number as 8.

alternative should be forced on us, of submission or dissolving the partnership, would prefer the latter.”

The convention passed resolutions recognizing the right of secession whenever it might seem proper and necessary; recommended that the South refuse to take part in any national convention for the nomination of a President until the rights of the Southern people were guaranteed; that all social, commercial, and political intercourse with the North be suspended until the grievances of the South were redressed; that every community appoint a vigilance committee to watch out for incendiary publications, and that Southern literature be encouraged, and travel in the North discouraged.¹⁰ A second session of the convention was held in November, the California compromise measures having in the meantime been passed by Congress, and it recommended a convention of the slave-holding States intrusted with full power and authority to act with a view of arresting further aggression, if possible; if not, to provide otherwise for their future safety and independence.¹¹

The enactment of the Compromise measures of 1850 gave a strong impetus to the secession movement in Mississippi, although in the end that movement received a check from which it did not recover until the election of Lincoln. Henry S. Foote and Jefferson Davis represented Mississippi in the U. S. Senate at the time these measures were passed. Foote supported the compromise by his speeches and votes; Davis, together with the entire Mississippi delegation in the lower

¹⁰ The resolutions of the Nashville Convention are printed in part in the *Globe*, 32d Cong., 1st Ses., App., p. 337; they are printed in full in Cluskey political text book, pp. 595-8.

¹¹ The second session of the Convention was poorly attended, none of the delegates appointed by the Convention of Mississippi attending, although there were three Secessionists present who were appointed by Governor Quitman. Judge Sharkey, whose duty it was to reassemble the Convention in certain contingencies refused to do so, believing that its action at the first session was sufficient. It was thus reassembled without authority. J. J. McRae, one of the delegates from Mississippi in the Nashville Convention, denies that its purpose was the dissolution of the union. He said: "I had the honor to draw up the resolutions offered on the part of Mississippi. The first one declared that the objects of the Convention were conciliatory, that its end and aim was the preservation of the union. There was not a single sentiment in any of them which breathed a spirit of disunion." Foote, on the other hand, charged that the original purpose for which the Convention was called was departed from; that although mainly gotten up by union Whigs the Secessionists controlled it and used it to further their plans of disunion. *Globe*, *Ibid.*, 52.

House, opposed it on the ground that it was no compromise, but an abject surrender to the North. Each of the two Senators declared that his course had the approval of his constituency.¹² During the summer and autumn following, much excitement prevailed throughout the State on account of the enactment of the measure and open advocacy of resistance was heard on every hand. After the issuance of the Southern address from Washington the people turned their attention to the formation of Southern Rights' Associations. In almost every community meetings were held to denounce the measure. At a mass meeting in the empire county of the State an *old-line* Democrat offered a resolution declaring that "if we have to choose between submission to the Compromise and secession from the Union we prefer the latter." This was typical of hundreds of resolutions adopted by private and public bodies during the year. Foote says the press was well nigh unanimous in favor of secession.¹³ This was certainly true of the Democratic papers; it was not true of the Whig journals. Immediately after the adjournment of Congress the Mississippi delegation return-

¹² Just before the final vote was taken Davis and Foote engaged in an angry colloquy on this point, Foote maintaining that nine-tenths of the people were in favor of the compromise, while Davis was equally as positive that every prominent man in the State was against it. Davis declared that he would not remain in the Senate another hour if he did not believe that he truly represented Mississippi. *Memoirs*, I., p. 465.

¹³ *Casket of Reminiscences*, p. 355. The *Mississippian*, of December 13th, said: "We place Secession upon the clearly ascertained and well defined opinions of our people, that the Constitution of the Union has been violated, and that there is no remedy for the violation in the Union."

The same paper of August 16th, said: "We are not afraid to meet the raw head and bloody bones disunion, face to face; and it is time that the people had become more familiar with the monster, than politicians had wont them to be heretofore."

The *Natchez Free Trader* said: "We recommend State Secession. We see but two ways, secession or submission. Let the issue be fairly presented to the people—Secession or Submission."

The *Woodville Republican* said: "We will and must secede from the Union. Either we must submit to disgrace, and soon to abolition, with all its horrors, or we must prevent it and that is by Secession."

The *Vicksburg Sentinel* said: "It only remains to be decided whether we will submit or resist. For one we are for resistance."

The Whig journals, such as the *Natchez Courier*, *Holly Springs Gazette*, *Vicksburg Whig*, *Corinth Advertiser* and others were strongly opposed to Secession. A. J. Frantz told the Boutwell Congressional Committee, in 1876, that the *Brandon Republican*, edited by him, was the only paper in East Mississippi opposed to Secession in 1860.—*House Miscellaneous Documents*, 3d Ses., 40th Cong.

ed to the State to give account of their course, and, with the exception of Foote, to urge the people to resist the action of Congress. Brown, in a speech at Jackson, said: "So help me God, I am for resistance, and my advice to you is that of Cromwell to his colleagues—Pray to God and keep your powder dry."¹⁵ Davis, McWillie, Featherston, and Thompson made similar declarations. Gov. Quitman at the same meeting declared that if Mississippi did not resist the Compromise measures, he would throw down her flag with contempt and refuse to carry it longer. Foote's course upon his return from Washington was very different from that of his colleagues who, he alleges, secretly combined against him on account of his position on the Compromise and used what influence they possessed to accomplish his political ruin. He says he found upon his arrival at Jackson almost the whole Legislature arrayed against him, the Executive department, and nearly all the Judicial officers.¹⁶ The Legislature had already passed resolutions of censure against him, declaring that the interests of the State of Mississippi were not safe in his hands.¹⁷ But Foote was not the man to quietly submit to a form of treatment which he thought was little short of disrespect. He resolved to vindicate his course before the people. Governor Quitman, the acknowledged leader of the "Resisters," was challenged to meet him for a public discussion of the question at the State capital. The Governor accepted but at the appointed time was too sick

¹⁵ *Globe*, 32d Cong., 1st Ses., App. p. 336.

¹⁶ *Casket of Reminiscences*, p. 355.

¹⁷ *Globe*, *Supra*, pp. 65, 66. On January 21, 1850, the Mississippi delegation in Congress, Foote included, had sent a communication to Governor Quitman, informing him of the likelihood of the admission of California with an anti-slavery constitution; that their individual positions were unchanged; that they regarded the proposition to admit California without slavery as an attempt to adopt the Wilmot Proviso in another form; that in consequence of their separation from their constituencies they desired an expression of opinion from the Legislature as to the proper course to pursue. In compliance with this request the Legislature adopted a resolution declaring that the admission of California with an anti-slavery constitution would be an act of fraud and oppression on the rights of the South and that it was the sense of the Legislature that the Senators and Representatives of Mississippi should to the extent of their ability resist it by all honorable and constitutional means. The resolution of censure against Foote declared that he had acted in violation of the spirit and intent of the above resolutions and in opposition to the interest and will of the people of Mississippi in supporting the compromise reported by the Committee of Thirteen.

to meet Foote, who, in a lengthy speech, explained his position and warmly denounced the secession movement.¹⁸ He then stumped the State, traveling night and day, making in all forty or fifty speeches urging the people to send delegates to a convention which he had assumed the authority of calling to meet at the city of Jackson on Nov. 18th, the day on which the Legislature was to meet and the Nashville convention to re-assemble.¹⁹

While Foote was stumping the State endeavoring to get up a convention to endorse him, the "Resisters" were bestirring themselves to work up a secession sentiment. Governor Quitman was able to inform the Governor of South Carolina in the latter part of September that his movement was making progress. On the 29th he wrote Gov. Seabrook in reply to an inquiry as to the course Mississippi would pursue, that he had already called the Legislature to meet in special session on Nov. 18th and that he expected to recommend the calling of a convention which should be empowered to withdraw the State from the Union. "Having no hope," said he, "of an effectual remedy for existing and prospective evils, but in separation from the Northern States, my views of State action will look to secession."²⁰ He kept his promise and promptly

¹⁸ Foote had undoubtedly changed his position somewhat with regard to secession. On March 21, 1850, he said in the senate: "If the North proves unwilling to do justice, and our grievances remain unredressed, then the Southern States will assemble in Convention to consult for their own safety and welfare; and if justice shall be withheld after all pacific and constitutional expedients have been tried, and tried in vain, why then the Southern States may feel it to be a duty forced upon them of seceding, in the last resort from the Union." *Globe*, Ibid., p. 170. Secession as a last resort was no more than what Quitman advocated.

¹⁹ *Casket of Reminiscences*, p. 356.

²⁰ Claiborne's *Quitman*, II., p. 37. Although avowedly in favor of secession, it is to be understood that Quitman did not, at this time, favor the secession of Mississippi without the co-operation of other Southern States. As late as the 29th of March, 1851, he wrote Mr. Preston, of South Carolina, that Mississippi was not yet fully prepared for final action. "She has less capital," said he, "is younger and weaker than South Carolina, and has no sea coast." "South Carolina then should take the lead and fearlessly and confidently act for herself— — — Mississippi would, I feel assured, take position by her side and soon all the adjoining States would follow her example." Ibid., 125. Governor Seabrook was of the same opinion with regard to the position of South Carolina. He wrote Quitman early in June, 1851, expressing his settled conviction of the extreme danger of the secession of South Carolina alone.

upon the meeting of the Legislature he sent in a message in which he discussed at great length the institution of slavery, declared that if left to the tender mercies of the Federal Government it was doomed; that having as it did the prejudice of the age against it, it required for its kind development a fostering government, and without such protection it could not exist much less flourish.²¹ He thoroughly denounced the action of Congress in excluding slavery from California and declared emphatically that Mississippi would not submit to it. He recommended as the best means of redress that a *legal convention* should be called with full and ample powers to take into consideration Federal relations and aggressions committed on the rights of the South, the dangers to their domestic institutions and all kindred subjects and *jointly* with other States or *separately* to adopt such measures as "may best comport with the dignity and safety of the State and effectually correct the evils complained of." He asserted that the purposes for which the Union was founded had been so grossly perverted as to render its further continuance incompatible with the honor, prosperity, and safety of the slave-holding States unless past grievances were redressed and guarantees given for the future. "But in the event of a refusal," he said, "I do not hesitate to express my decided opinion that the only effective remedy for evils which must continue to grow from year to year is to be found in the prompt and peaceable secession of the aggrieved States." This, he said, was an effective and an unquestionable right of sovereign States and should be steadily kept in view, whatever measures might be adopted by this State either alone or in concert with her sister States. In the meantime some common center of opinion and action should be authoritatively established. This might be done by the appointment of a committee of safety to consist of a membership equal to the number of Senators and Representatives in Congress. These committees might be authorized to assemble periodically at some central point for the transaction of business and should be invested with adequate powers, *absolute* or *contingent*, to act for their respective States upon all questions connected with the

²¹ This is strange language and furnished a striking commentary on the weakness of the institution he sought to defend.

preservation and protection of their domestic institutions.²² Here was mapped out in detail the plan for a Southern Confederacy. Unless Congress should repeal the Compromise measures the Union was to be dissolved by a "prompt and peaceable secession of the aggrieved States." In a letter to J. S. Preston, of South Carolina, he advised that if South Carolina had made up her mind to secede to do so without waiting for the action of other States. He believed that there would then be more likelihood of other States acting. "The secession of a Southern State," said he, "would startle the whole South and force the other States to meet the issue plainly. In less than two years all the States South of you would unite their destinies to yours and should the Federal Government attempt to employ force, an actual and cordial union of the whole South would be instantly effected and a complete Southern Confederacy organized."^{22a}

The day on which Gov. Quitman sent in his message to the Legislature, Foote's convention assembled at the City Hall in Jackson. It consisted of a large number of delegates, a majority of whom were of Union sympathies.²³ They adopted resolutions approving Foote's course on the California Compromise, advocated acquiescence in the measure, condemned the Governor's message and warmly denounced the disunion movement. They then organized the Union Party in Mississippi.

This "growl of Whiggery" so near the capital did not, how-

²² A part of Quitman's message is printed in the *Globe*, Ibid., p. 336. This message was shortly followed by another in which the Governor recommended the organization of volunteer companies without limit, the appropriation of a fund for their equipment and support, the adoption of the rules and regulations of the United States Army for their discipline and requiring that officers and men should take an oath to serve for a term of five years. Ibid., 337.

^{22a} Gov. Pickens, of South Carolina, had written a letter to a committee in Mississippi designating Quitman and Davis as suitable persons for the presidency of the proposed Confederacy. The letter was read by Foote "in a hundred speeches" which he made. *Globe*, Ibid., p. 53.

The *New York Times* said in 1860 that of all the Secessionists that have appeared on the stage since the death of Mr. Calhoun, Gen. Jno. A. Quitman, of Mississippi, undoubtedly ranked first. His great military ability, his eminently practical cast of mind, his energy of conviction and straight forwardness of purpose, with so much that was truly heroic in his past history, gave him an uncommon hold upon the heart of the South.

²³ Senator A. G. Brown says the proportion of Whigs to Democrats in this Convention was five to one. Ibid., 356.

ever, disturb the equanimity of the Legislature, a majority of whom were of the Quitman belief. The Legislature took up the Governor's recommendation and on November 30 passed an act calling a convention "to consider the state of our Federal relations and the remedies to be applied."²⁴ It furthermore solemnly declared that the evils complained of were destructive to the domestic institutions and the sovereignty of the State. The date fixed for the election of delegates was the first Monday in September, 1851, and the convention was to assemble on the second Monday in November. In addition to the election of delegates to the convention, there was also an election of State officers. The passage of the Compromise measures had the effect of dividing the people into two parties, one of which advocated resistance to the Compromise; the other, acquiescence. The former organized in November, 1850, under the name of the Southern Rights party. They continued under that name until the 16th of June, 1851, the date of the State convention, when they took the name of the Democratic State Rights Party. This party was composed of the bulk of the old Democratic party and a small element of State's Rights Whigs. By some they were called "Resisters." The party in favor of acquiescence was formally organized on the 18th of November, the day on which Foote's convention met. It took the name of the Union Party and was composed largely of old line Whigs and a respectable contingent of Democrats to whom disunion appeared a worse evil than the exclusion of negro slavery from California. The Democratic State Rights Party had a preponderance of the wealth and talent of the State in its ranks, yet in action it did not exhibit the concert and audacity of its adversaries. Quitman, the most extreme of the "resisters," was nominated for Governor over Jefferson Davis in the belief that he would carry out the secession pro-

²⁴ Every effort to have the question of the expediency of calling a Convention referred to the people was voted down by the Legislature. An amendment, *provided* that in the election of delegates the sense of the voters on the question of a convention should be taken and if it should be ascertained that a majority were opposed to it, it should not assemble. The amendment was defeated. Another amendment, the purpose of which was to ascertain if the voters were in favor of acquiescence in the compromise measures or in favor of resistance, was likewise defeated.

ject in the event of his election.²⁵ The Union Party nominated Senator Foote. Their platform was acquiescence in the compromise measures and the preservation of the Union. Quitman openly advocated resistance to the compromise measures and was known as the Secession candidate. "The precise question in this campaign," says Foote, "was, will Mississippi join South Carolina in the act of secession from the Union,"²⁶ The question was to be settled by the election of a Governor and delegates to the State convention. Quitman and Foote took the field as opposing candidates, and confronted each other first at the capital and subsequently at seven or eight other places in the State, when Foote's denunciation of Quitman led to a personal altercation between the two candidates at a place in Panola county, after which the joint canvass was terminated, Foote filling the original appointments and Quitman following

²⁵ Reuben Davis, one of the Delegates to the State Convention, says that a decided majority of the committee on nomination favored Jefferson Davis, but the appeals of Quitman and his friends finally induced him to withdraw. Reuben Davis says that three out of every four persons whom he met on his journey favored the nomination of Jefferson Davis, and that as between Foote—who it was certain would be the opposition candidate—and Quitman, they preferred Foote. *Recollections*, p. 315. Jefferson Davis says the effort to fix upon his party disunion proclivities led some to believe that the nomination of Quitman, in view of his antecedents, might endanger their success. A proposition was therefore made that Quitman withdraw and consent to the nomination of Davis, who in the event of his election would appoint Quitman to the vacancy in the United States Senate, but the proposition was not acceptable to the latter and he was accordingly nominated.—*Memoir of Jefferson Davis*, I., p. 467.

²⁶ Hon. J. J. McRae, a States Right Democrat, and the successor of Davis in the United States Senate, made an address in that body January 29, 1852, in which he defended his party from the charge of being disunionists. He said: "We believed the best way to obtain security for the future was to demonstrate against these wrongs and ask for guarantees against future aggressions. This was our position and we made no ultimatum upon which the dissolution of the Union was staked in the event of a refusal of these demands." *Globe*, 32d Cong., 1st Ses., App., p. 171. Mr. Freeman, Mr. Wilcox and Mr. Nabers, Union members of Congress from Mississippi, in 1852, on the other hand charged the States Rights Democrats with disunion purposes and adduced much evidence in substantiation of their charges. Mr. Freeman said on the floor of the House, March 18, 1852: "The boundaries of the proposed Confederacy were all marked out; the resources of the people within its limits for self-protection, and for the protection of a national government were publicly canvassed, and pamphlets containing geographical description of the 'Southern United States,' their wealth, population and political power were frequently circulated among the people."

after him and speaking in his poor way to crowds who had been entertained by the Senator's splendid oratory.²⁷

The election of delegates to the State convention occurred on the first Monday in September, a month before the election of Governor and other State officers. In the September election the people pronounced against secession by a majority of 7,000 votes. It was a sweeping triumph for the Union Party. Quitman was mortified at such an unequivocal condemnation of his secession project. Almost certain that the convention which he had initiated would declare against him, and having reason to believe that his gubernatorial prospects were doomed, he decided to retire from the race after issuing an address to the people.²⁸ The Secession party was discouraged. They were without a leader and the State election was but a month away. They now turned to Jefferson Davis to lead their forlorn hope. It was said that the party had made a mistake in refusing him the regular nomination in June. He was accordingly prevailed upon to resign his seat in the U. S. Senate and become the candidate for Governor in the belief that he alone

²⁷ The personal relations between the two candidates had hitherto been agreeable. Quitman was indebted to Foote for having had his nomination as brevet major general confirmed by the Senate against the opposition of Jefferson Davis, at that time acting chairman of the committee on military affairs. Quitman was one of a trio of eminent Mississippians (S. S. Prentiss and Robert J. Walker being the other two) who were born in the North and emigrated to Mississippi in early life. His brilliant success in the Mexican War and his devotion to his adopted State made him very popular. He was a man of rugged character, of great moral courage, and was thoroughly controlled by his convictions of right and wrong. He was plain, frank, would not resort to personalities, and preferred defeat to equivocation. He brought forward almost a score of charges against his opponent, the substance of which was the hostility of Foote to slavery and his misrepresentation of the people of Mississippi in the United States Senate. As a speaker he was no match for Foote, who, it was commonly said, was the best stump orator in the United States. Foote was well educated and was fond of drawing upon the classics for his illustrations. Quitman's style was poor and flat, while Foote was a strategist. The chief weapons in his arsenal were irony and satire, which he used in a manner truly discomforting to his antagonist. He says of Quitman: "He was truthful, honest, brave, of a slow and plodding intellect, but in regard to ordinary matters, sound and practical in his views. He was over ambitious, fond of taking the lead in all things, somewhat given to selfishness, and was altogether the dullest and most prosy speaker that I have ever known who could speak at all." Foote thinks, however, that he had a much stronger intellect and a far truer heart than Jefferson Davis.—*Casket of Reminiscences*, p. 356.

²⁸ His letter of resignation is dated September 6th and is printed in Claiborne, II., 146.

would be able to retrieve the September losses. He at once entered upon the canvass, but on account of ill health, prosecuted it with little vigor. The party now endeavored to stem the tide by announcing that all further thoughts of secession had been abandoned.²⁹ Foote was elected Governor, although the Union majority of 7,000 in September was reduced by Davis to less than 1,000.³⁰ The Union Party elected a majority of the Legislature, three members of Congress, and a Union Democrat was chosen to succeed Foote in the U. S. Senate.

The convention which Governor Quitman had conceived and which he expected would take a stand in favor of secession, met at Jackson Nov. 10, 1851. Fifty-six counties were represented by ninety-three delegates, a majority of whom were of the Union Party.³¹

²⁹ Davis denies that he was in favor of Secession. In a letter to James Pearce, of Kent county, Md., under date of August 22, 1852, he wrote: "After my return to Mississippi in 1851, I took ground against the policy of secession and drew the resolution adopted by the Democratic State Rights Convention in June, which declared that secession was the last alternative, the final remedy and should not be resorted to under existing circumstances."—*Memoir of Jefferson Davis*, by his wife, I., 471. He had written on November 19, 1850, in reply to a formal question by a number of Union gentlemen whether he was in favor of a dissolution of the Union. "If any have falsely and against the evidence before them, attempted to fix on me the charge of wishing to dissolve the Union under existing circumstances, I am sure your information and intelligence have enabled you to detect the hollow fraud. If any have represented me as seeking to establish a Southern Confederacy on the ruins of that which our revolutionary forefathers bequeathed to us, my whole life and every sentence I have uttered in public or private give them the lie. If any have supposed gratuitously (they could not otherwise) that my efforts in the Senate were directed to the secession of Mississippi from the Union their hearts must have been insensible to the obligation of honor and good faith which I feel are imposed upon me by the position of an accredited agent of the federal government." *Cong. Globe*, 1st Ses., 32d Cong., App., p. 171, quoted by Mr. McRae.

³⁰ Lalor's *Cyclop. Pol. Sci.*, II., p. 860. In the State Senate, the parties stood 21 States Rights Democrats and 11 Unionists; in the House, the proportion was 63 to 35 in favor of the Unionists. Foote, in his sarcastic way, said: "In a few weeks Davis was seen wending his way to Briarfield, on the banks of the Mississippi, where he would have slumbered in deserved obscurity to the present moment but for Mr. Pierce's calling him forth and giving him another chance to ruin his country." *Casket of Reminiscences*, 355.

³¹ The more prominent members were William L. Sharkey, John W. C. Watson, Jason Niles, J. L. Alcorn, Wiley P. Harris, William Barksdale, Charles Clark, D. W. Hurst and Amos Johnson. Mr. Carmack, of Tishomingo county, was chosen president. This was, perhaps, the ablest of the ante-bellum conventions in Mississippi. It was in session one week.

The purpose of the convention, as stated by the Democratic Executive Committee, was to demand redress for past aggressions and a guarantee against future assaults upon the rights of the people of the State and to provide in the meantime for the meeting of a convention of Southern States. The proposed redress was a repeal of the law suppressing the slave trade in the District of Columbia; the opening of the territory of the United States to slavery, and the protection of slavery from interference by Congress or the States. Should the redress and guarantee be refused, the State was to make formal proposals to her sister States for a separate Confederacy and to unite with any number of them sufficient to secure national independence.³² Instead, however, of taking any such action the convention reversed all that had been done in Mississippi looking to a disruption of the Union. It declared that the people of Mississippi had maturely considered the action of Congress, and, while they did not approve it in its entirety, they would nevertheless abide by it as a permanent adjustment of the sectional controversy so long as the same in all its features should be faithfully adhered to and enforced; that they saw nothing in that legislation which should be permitted to disturb the friendly and peaceful relations between the Government of the United States and the government of the people of Mississippi; that in their opinion the people of Mississippi would abide by the Union as it was and by the Constitution of the United States without amendment; that they held the Union secondary in importance only to the rights and principles it was designed to perpetuate; that past associations, present fruitions, and future prospects would bind them to it so long as it continued to be the safe-guard of those rights and principles; and that the asserted right of secession on the part of a State was utterly unsanctioned by the Federal Constitution, which was framed to establish and not to destroy the Union.

The convention gave a deserved rebuke to the Legislature for peremptorily ordering a convention of the people without first submitting to them the question whether there should be a convention or not. Its action was declared to be "an unwarranted assumption of power at war with the spirit of re-

³² Claiborne's *Quitman*, II., Chap. xii.

publican institutions, an encroachment upon the rights of the people, and could never be rightfully invoked as a precedent.³³

Foote was sanguine enough to believe that the question of secession in Mississippi was forever put at rest. A few weeks after his election he declared in the United States Senate that nineteen-twentieths of the people of Mississippi acquiesced in the compromise measures and in no part of the State could a man with secession sentiments be elected to the most insignificant office.³⁴ This set back was truly discomfoting to the secessionists. The movement seemed to be dead. There was no further talk of secession until 1856, the year of the Presidential election. It was widely asserted that the election of Fremont would be a cause for secession. It remained, however, for the election of Lincoln to awaken the secession sentiment and bring over to its ranks a majority of the people who nine years before had denounced secession as the gravest of blunders.

³³ The text of these resolutions is printed in full in Claiborne's *Quitman*, Vol. II., Chap. xii.

³⁴ *Globe*, 32d Cong., 1st Ses., App., p. 59. His utterances on this point were as follows: "If the gentleman means to say that he has any hope that the State of Mississippi will ever unite with the secessionists of South Carolina in overturning the Union on account of anything contained in the measures of adjustment, or that there is the least likelihood that any other State will participate in a movement at once so uncalled for and so replete with mischief, I must tell him with all possible earnestness, that he has indeed been laboring under a great mistake. Nineteen-twentieths of our people in Mississippi, though all of them do not approve as heartily of the plan of compromise as I do, have yet deliberately declared their cordial acquiescence in it; nor could a man be elected to a constableness in any part of our noble State who should be known to entertain such sentiments as the honorable senator from South Carolina has declared on this occasion. The truth is that all in the State of Mississippi who six months ago concurred with the honorable gentleman in regard to the extreme views expressed by him, have of late openly repudiated both his opinions and himself and are now laboring with a most untiring assiduity to throw into utter oblivion the interesting fact that they ever did concur with him at all. I do not believe in any of the two hundred meetings I have attended in the last eight or nine months, a public speaker deemed it discreet to mention the name of the honorable senator from South Carolina with even ordinary indication of respect."

RECOLLECTIONS OF RECONSTRUCTION IN EAST AND SOUTHEAST MISSISSIPPI.

By W. H. HARDY.¹

To write a complete history of the Reconstruction of Mississippi, by the military power of the United States Government, after the overthrow of the Confederate States Government, would make several plethoric volumes. It is to be

¹ Captain William Harris Hardy was born in Lowndes county, Alabama in 1837. His parents both descended from English and Irish ancestors who served in the Revolutionary War under Greene and Marion. After attending college at Cumberland University, Lebanon, Tennessee, he engaged in teaching at Montrose, in Jasper county, and at Sylwarena, in Smith county. In 1858 he entered upon the practice of law at Raleigh, the county seat of Smith county. At the outbreak of the War between the States he raised a company of volunteers of which he was elected captain. He served with distinction throughout this great conflict.

With the return of peace Captain Hardy removed from Raleigh to Paulding, where he resumed the practice of his profession. In 1868 he conceived the project of building a railroad from Meridian to New Orleans. The preliminary survey of the railroad having been completed in 1872 he removed to Meridian a few months later in order the better to promote this great scheme. Negotiations for money to build the road were in progress when the financial crisis of 1873 came and paralyzed for the time every enterprise. Captain Hardy then devoted himself to his profession until 1880, when prosperity having returned to the country, he again took up his project of railroad building and three years later he had the satisfaction of seeing his road, the New Orleans and North Eastern, in operation. We are told that "the construction of this railroad was one of the greatest works of public improvement ever constructed in the State," and that it has put "millions of dollars worth of property upon the tax rolls where before there were only hundreds." Captain Hardy organized the Meridian Gas Light Company, the Meridian National Bank, and other successful business enterprises. He was also the first man to put life and energy into the Gulf and Ship Island railroad and to begin its construction. In December, 1899, he removed to Hattiesburg, a city founded by him in 1882 and named for his wife, Mrs. Hattie Hardy, who died in May, 1895, and where he now resides.

He was elected to the State Senate from his district in 1895. During his first session in that body he was chairman of the committee on railroads and of the committee on finance, and was also a member of the committee on education, the committee on public lands, and the committee on public works. His career in the legislature has been marked by the introduction of many wise measures for promoting the best interests of the State. In 1896 the legislature created a new county out of a portion of Perry and named it "Hardy county" in honor of Captain Hardy. This bill failed to become a law as it was vetoed by the governor.

hoped, when the passions and prejudices engendered by the war, and the tyrannies and oppressions of reconstruction, have subsided and given place to truth and impartial judgment that, this history will be written. The object of this paper is to preserve some recollections of events occurring in East and Southeast Mississippi during that period for the use of the future impartial historian.

Historical facts are of little value unless stated in chronological order. The most important events in history, would become meaningless if stated without reference to the order of their occurrence.

It becomes necessary, therefore, that I should briefly state some well known facts in the history of the country that preceded the occurrences which it is the purpose of this paper to record.

In the formation of the Federal Government there were two theories which presented themselves. One was that the Federal Government should be supreme in all things, and that the States forming the government should be subordinate and should derive their powers from the general government. The other theory was that the States possessing inherent powers were sovereign and independent, except as to the rights and powers they might cede to the general government, and that the general government should possess no powers except those expressly ceded to it by the States, and that it should be supreme only in the exercise of these powers ceded to it in the

No sketch of Captain Hardy would be complete without special mention of his oratorical power. Among his published addresses may be mentioned "his address delivered at Paulding in 1867, before a lodge of sorrow held in honor of the Masons who were killed in the war, his address before the literary societies of Mississippi College in 1873, his defence of C. H. Williams in the great arson case at Meridian in 1875, his eulogy of Jefferson Davis in New York City, December, 1889, and his address of welcome at a reunion of Confederate veterans at Meridian in October, 1890. Many of his best efforts were made in capital cases in the courts, but never published."

In addition to his ability as an orator, Captain Hardy is such a chaste and versatile writer that many of his friends regret that he did not make journalism his life work. He possesses an excellent library and devotes much of his leisure to scientific and literary research. "Pinehurst," his home is a mecca for the literary people who visit Hattiesburg.

A more detailed sketch of Captain Hardy's life will be found in Goodspeed's *Biographical and Historical Memoirs of Mississippi*, Vol. I., pp. 861-'6—EDITOR.

Federal Constitution. That the relation of the States to the Federal Government was that of the Creator to the creature.

This latter theory predominated in the convention that formed the constitution, though there were compromises that left room for construction. But to put the question forever at rest, the tenth amendment to the constitution was adopted at the first session of the first Congress, on the 25th of Sept., 1789, and is in these words:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

Nowhere in the Federal Constitution is the right of a State to withdraw from the Union prohibited. Indeed it was expressly reserved by Virginia, in the resolutions adopting the constitution, and those resolutions were sent to all the States, and no word of objection or protest was ever heard from any of them.

For the first forty years of the existence of the Federal Government, no publicist, statesman or jurist of any political party denied the right of a State to withdraw from the Union, when in its judgment the constitution had been violated. The Constitution being a compact, or agreement between the States, if violated by any member of the compact became nugatory, and any State could so hold and withdraw from the Union formed by this compact or agreement. The first to hold to the doctrine of the indissolubility of the Union was Mr. Webster. His whole argument was based on the Preamble of the Constitution which recites:

"We, the people of the United States in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty to ourselves and posterity, do ordain and establish this constitution for America."

This was a fallacious argument and was mercilessly exposed by Calhoun, but I cannot stop to repeat the arguments employed by him. One historical fact relating to the origin of the Preamble will suffice.

When the Constitution had been completed by the convention, it was referred to a committee on "Style" to arrange its form and grammatical construction, etc., prior to its final adoption as a whole. One of its provisions was that it should

take effect when ratified by nine of the thirteen States. The Preamble, as originally written, recited the names of the thirteen States. The committee on style was confronted at the outset with the fact that it was impossible to know in advance whether all the thirteen States would ratify the Constitution, or if ratified by only nine, which of the thirteen they would include. They referred this matter back to the convention, and Gouverneur Morris, of New York, moved to amend the Preamble, by referring the Constitution to the people of the United States for ratification. His motion did not meet even with a second. The Preamble was then amended by reciting:

"We, the people of the United States," instead of reciting the names of the States as in the original, but retaining the provision referring it to the States separately for ratification, and it was ratified by each State separately at different periods, running from one to three years.

Mr. Story, who was born at Marblehead, Massachusetts, September 18th, 1779, and was graduated from Harvard University in 1798 and admitted to the bar in 1801, and served a term in Congress as a Democrat in 1808-9, was appointed a Justice of the Supreme Court of the United States in 1811, of which Court, John Marshall was Chief Justice, and a man of transcendent legal learning but was a decided Federalist and believed in a strong centralized government. Judge Story presided as a Justice of the Supreme Court till 1832. His long association with John Marshall, the Federalist, wrought a great change in his views and opinions respecting the Federal Union. Following this period Judge Story wrote his *Commentaries on the Constitution*, in which he adopted the arguments of Mr. Webster and held to the doctrine of the indestructibility of the Union, denying for the first time, in a law treatise, the right of a State to secede from the Union. This work was adopted as a textbook in the Harvard law school, of which Judge Story became a professor, and it was from this great centre of learning that the doctrine went forth, denying the right of a State to secede, and was seized upon by the Federal party and became a political tenet which disturbed the peace and harmony of the sections for a quarter of a century, and culminated in the greatest war of modern times.

The South became immensely wealthy and paid nearly three-

fourths of the taxes to carry on the Federal Government, and received only about one-fourth of the distribution of the public funds. In the course of events she believed that the cause was sufficient, and the time opportune to exercise the constitutional right of secession. The fugitive slave law had been annulled by several Northern States; the people of the South were denied the right to carry their slaves into the common territory of the United States; Mr. Lincoln had been elected President of the United States upon the avowed principle that there was an "irrepressible conflict between free and slave labor; that the States must be either all free or all slave States." Hence the Southern States exercised their constitutional right and through conventions elected by the people, withdrew from the Federal Union and set up a confederation of States which were homogenous and in which there were no conflicting interests.

This resulted in a war, declared and waged by the North, to coerce the Southern States back into the Union. For four long years the red tide of battle flowed back and forth with ever varying results till finally the South yielded to overwhelming numbers and resources, and gave up the struggle.

Passing over the arrest and imprisonment of Governor Charles Clark, the appointment of William L. Sharkey as provisional Governor, and the reconstruction effected under his administration, we come to the enactment of the reconstruction laws passed by Congress, and the overthrow of the State government by the Federal authority, and the appointment of a military governor, who removed all civil officers in the State, and filled their places with carpet-baggers, scallawags and negroes. The carpet-bagger was a Northern camp follower and place hunter, who, when the State passed under military power, packed all his earthly possessions in a carpet-bag and came into the State overstocked with loyalty to the flag, and hunted for the places that paid best. The scallawag was a native who shirked service in the Confederate army and who now secretly rejoiced in the humiliation of the better classes and joined the victors that he might share in the spoils of victory.

The Confederate States were divided into military districts with a commandant in each district. Mississippi was in the fourth district and under the command of Major General Ord,

who was later succeeded by General McDowell. The military governors of the State were General Gillem, who was succeeded by General Adelbert Ames.

The carpet-baggers were not long in organizing the negroes through the medium of the Loyal League. The Freedmen's Bureau was also used for this purpose. Congress, in a spirit of philanthropy, knowing that there were thousands of helpless negroes among the emancipated old men and women, cripples, and fatherless children, whose former masters were now not only absolved from taking care of them, but by reason of their own poverty, were unable to do so, established the Freedmen's Bureau, for the purpose of hunting out this indigent class and supplying them with the necessities of life till the States should make provision for them. The agents and employes of the government who were appointed to administer this law were generally an unscrupulous set of camp followers and adventurers, whose chief purpose was to enrich themselves by gathering whatever spoils might come into view, and by a system of plundering and blackmailing. A Freedmen's Bureau agent would issue to a decrepit old negro and family twenty-five pounds of bacon, and fifty pounds of flour, but fill out a printed voucher for one hundred pounds of bacon and two hundred pounds of flour; but a difficulty was encountered when it came to signing the voucher, since the average plantation negro had no name except that given him when he was born, such as Ned, Bill, Sam, Jake, Primus, Remus, Jim, and the like. He was told he had to have a sur-name, and if he did not like his 'Ole Marster' he declined to adopt his name, and left it to the agent of the bureau to supply him, which he promptly did, and the voucher was signed Edward (his X mark) Thompson, and attested by the clerk or by some negro hanger-on about the office. The old negro left happy and smiling, but before he reached his home had forgotten his name. He was only 'Ned;' but the "good time" had come at last. Plenty to eat, no work, all sleep, and when the "rashuns guv' out" he went back to this rich fountain of plenty and made another "draw" of twenty-five pounds of meat and fifty pounds of flour and signed another voucher for one hundred and two hundred pounds, but this time it was "Ed (his X mark) Jones."

The difference between the amounts issued and the amounts

stated in the vouchers was sold and the proceeds pocketed by the agent and his confederates. But this was not the only method these noble "patriots" and "philanthropists" had of feathering their nests. They preyed also upon the whites. An actual occurrence will serve to illustrate their methods.

There lived in Smith county an excellent citizen who owned ten or twelve negroes. He was an "Old Line Whig" who was bitterly opposed to secession. He was just past the conscript age and did not serve in the Confederate army, but a son who volunteered early in the war made a good soldier, lost his life in the army. This tended to embitter his father against the "unholy war," as he was wont to call it. After the flag of the Confederacy went down, this good citizen (he was in truth a good citizen) but fanatical on the subject of the Union, and took great delight in taunting his secession neighbors with "I told you so! Now you see what you have done; the negroes are all set free and soldiers stationed all over the country, no courts, no laws, only military rule. I am sorry for you Secesh; you will catch it; all your property will be confiscated, but I will save mine because I was a loyal Union man. All my negroes are still on my place, and I do not expect any trouble from the Yankee soldiers."

This "loyal" good citizen discovered that some one was stealing the corn from his crib, and corn was the most valuable species of property in the country, owing to its scarcity. But little could be bought and that at from two to two and one-half dollars, in gold, per bushel. So he and his young son of sixteen, with their shot-guns watched the crib all night for several nights, and finally were rewarded. The thief came, pulled the staple that held the hasp of the lock on the crib door and went in, filled his sack, and as he emerged from the door he was covered by the guns of the watchers and surrendered. He proved to be one of their own "niggers," who had been raised on the place. He was about twenty years old and hitherto bore a fairly good character. The negro began to beg and plead not to be whipped. The old man said to him "you are free, I can't whip you now; I will take you to Jackson and turn you over to the Yankee soldiers; they will put you in jail, and every day they will tie you up by the thumbs and let you hang an hour. That's the way they punish negroes for stealing."

The negro said, "For God's sake, Marster, don do dat, jus take me down and whoop me like you use ter do." "No, I can't do that," said he, "for you would go right off to the Yankees and report me and they would come and arrest me." "Fore God, Marster, I won do it; you jes whoop me, I won never tell nobody, and I won never steal no mo corn." So our loyal citizen concluded that he could, being a Union man and a loyal citizen, whip a negro caught in the act of stealing corn, especially when the negro insisted on being whipped, rather than turned over to the military authorities at Jackson for punishment; besides he did not wish to incur the trouble and expense of taking him fifty miles through the country to Jackson; and so he granted the negro's request, laid him across a log, and strapped him in due form as he had done for like offenses in slavery.

The matter ran along for awhile and nothing was heard of it; but in the meantime the situation throughout the country became more acute. Several arrests of white people by the military authorities had been made on information made by freedmen. Neighbors, when they met in the road, or at church, or elsewhere, talked in subdued tones of the current events. No man felt secure from arrest; the negroes were becoming more and more insolent; and were holding secret meetings. The negro women, especially, were becoming arrogant and insulting to the white women. It was a common thing to threaten them with the "Yankee soldiers." In some of these interviews the son of our "loyal citizen" had told some of his friends how "we treated one of our negroes whom we caught stealing corn," and the story was repeated until it became known among the negroes.

A negro went to Forest to make a draw of "rashuns from the Buro." Whilst there he was asked by the agent how the rebels were treating the colored people in his section." He said, "might bad, Sur. Dey jes whoops 'em now same's dey did afore dey was sot free." He then told of the whipping of the corn thief by our "loyal citizen" and his son, but of course stated "he didn't steal no corn. Dey jes' 'scused him of it."

An affidavit was made out and the informer made his cross mark to it. This was sent to headquarters at Jackson, and in

a few days a squad of soldiers rode up to the gate of our "Union citizen" and arrested him. He told them what a good Union man he was, how loyal he was, how he had always opposed secession, and had always been an old line Union Whig. They laughed at him, and told him they had not found any other sort of people in the country. After caviling for a time, they took his parole to report with his son to the commandant at Jackson within forty-eight hours, and left without telling him, if they knew, what the charge against him was. The old man mounted his horse and came to see the writer, a Confederate soldier then on parole, and a personal friend of his. He was very much agitated as he related the whole story and sought the writer's advice. He seemed to rely upon his loyalty to the Union as a means of securing his discharge, at least with the imposition of a small fine. The writer felt incompetent to advise him, but suggested that his Union sentiments would avail him little, as there were not enough of that class in Mississippi to warrant the military commander in making any distinction between them and those who participated in the war, especially since a large majority of those who were opposed to secession had, when it was consummated, cast their lots with the cause and made splendid soldiers in the great conflict. The further suggestion was made to him that probably the easiest and cheapest way out of his trouble would be to pay out; that when he reported to the provost marshal, he could find an opportunity to approach him through some attaché of his office, and with gold he could secure his discharge. He did not relish the suggestion, for he loved gold very dearly, and it was very scarce and hard to get.

About a week later he returned from Jackson a wiser man, but his stock of loyalty to the "glorious Union" had been wholly consumed and he was in first class fighting humor, and expressed himself as ready to join any organized movement to "bushwhack the dod-blasted Yankees until every mother's son of them had been driven from the State," or had, in later parlance, "turned their toes to the daisies." He had bought the discharge of himself and son, which took all the money he had, and all he could borrow from his friends, besides sleeping two or three nights in a vermin-infected guard-house.

THE LOYAL LEAGUE.

The Loyal League was a secret, oath-bound organization, and lodges were organized all over the country and every male negro from eighteen to seventy years old, and every white man who would take the oath, was eligible to membership. Only a few white men became members, but nearly all the male negroes within the ages stated, were initiated into its mysteries.

The initiation was to the negro, very solemn and impressive. They usually met on Saturday night at the cabin of some prominent negro, or in some vacant outhouse. Armed sentinels were posted on all the approaches to the house. In the centre of the room, which was rarely capable of holding one-fourth of the number assembled, was placed a table, or old goods box, on the centre of which rested an open Bible, and a deep dish or saucer filled with alcohol and myrrh which was lighted; above this altar, so-called, was suspended a United States flag, and also a sword. The candidate was blindfolded outside and was led in by the arm and required to kneel at this "altar" and place his hands upon the open Bible. The president of the League called upon the chaplain to pray. He invoked the divine blessing upon the "poor benighted brother who was about to pass "from the night of bondage in slavery into the marvelous life and light of freedom." Short passages from the account of Moses leading the children of Israel from Egyptian bondage were then read, when the candidate was catechised, something after this fashion—[a prompter answered the questions, and the candidate was required to repeat the answers]:

"What is your name?"

Jim Cruise.

Are you a white or colored man?

A colored man.

Were you born free, or a slave?

A slave.

Are you now a slave or a freedman?

A freedman, thank God!

Who freed you?

Abraham Linkum, bless God!

Who helped him to free you?

The Army and the Publican party.

Who fought to keep you in slavery?

The white people of the south, and the Democratic party.

Who then are your best friends?

The Publican party and northern soldiers.

Whom do you want to hold all the offices in this State and govern it, make and execute its laws?

The Publicans, the friends of the poor colored man.

Suppose the Democrats carry the elections and get back into power, what would become of you and all the colored people in the State?

We would be put back into slavery. God forbid!

All—Amen! and amen!!

An oath was then administered to the candidate which he was required to repeat after the prompter:

"I Jim Cruise, do solemnly swear on the holy bible, in the presence of God and these witnesses, that I will ever remain true and loyal to the Republican party; that I will always vote the Republican ticket; that I will keep secret all the signs, pass word, and grip of the Loyal League; that I will obey all the laws, rules, resolutions, and commands of the League of which I am a member; that I will forever reverence the name and memory of Abraham Lincoln, the author and father of my freedom, and that I will observe and keep in holy remembrance each anniversary of the Emancipation Proclamation, and that I will teach my children to do so. That I will never knowingly vote for any Democrat for any office lest I be put back into bondage and slavery. That I will never disclose the name of any member of this League, or of any League of which I may become a member, nor tell the place or meeting of the same; that I will not testify against any member of this, or any Loyal League concerning anything done by the League or its order, or the order of any of its officers.

"For a violation of this oath, or any part of it, for the first offense, I agree to receive fifty lashes on my bare back; and one hundred lashes for the second offense; and for the third, to be secretly shot to death by any member of the League appointed for that purpose, so help me God!"

The blindfold is then removed and the candidate receives the following lecture:

"My Brother: You have just been brought from the darkness of bondage and slavery, to the glorious light of freedom. You behold above you the flag of freedom, beneath whose folds the soldiers of the Union marched and fought; and the sword, the implement with which they struck from your hands the chains of slavery, and made you a free man. You behold on your left, a pot of sweet incense which constantly rises toward heaven. So let your gratitude, sweetened with humility, and strengthened with courage, ever ascend to God in acknowledgment of the blessings of freedom."

He was then invested with the grip, sign of recognition, pass-word, and sign and cry of distress.

The foregoing is given from memory. The writer once had a printed copy of the Loyal League ritual in full, but it has been lost, or mislaid and cannot be found, but the foregoing is substantially correct.

The Loyal League of Paulding, Jasper county, met regularly once a month and was usually attended by one or two hundred negroes, and on extra occasions as many as four or five hun-

dred would attend, until an exciting event occurred one Saturday night which practically broke it up. They met at the house of Jim Cruise, a tall black negro, who was a house carpenter, and possessed above the average intelligence of his race. His house was on a high hill about a mile from Paulding, where he still resides, unless he has died within the last two years. It was common to see a hundred or more negroes march through the town on Saturday evening, some of them armed with old muskets and shot-guns, others with pistols and clubs, singing:

"We'll rally around the flag boys,
Rally once again,
Shouting the battle cry of freedom!"

Complaints had been made to the general commanding the department of these armed assemblages, that the whites were intimidated, especially the women and children, and unless these armed meetings of the negroes were suppressed by the authorities, the whites would organize in self defense, and race conflicts would ensue. He promptly issued an order forbidding all persons to assemble with arms, and ordered the sheriffs to enforce the order by reading it to such assemblies, and order them to disperse, and if they refused to do so, to report the same to the nearest military officer. Richard Simmons was sheriff of Jasper county, an illiterate, harmless old man, who lived sixteen or eighteen miles from the court house, but had a gallant ex-Confederate soldier for his deputy, Major Q. C. Heidelberg, who was raised in Paulding, and who is now an honored and useful citizen of the town of Heidelberg, on the New Orleans and Northeastern Railroad. He desired to break up these armed meetings and had often remonstrated with the leaders, but to no purpose; but when he received the order from the military commander of the district he summoned three young men, Walter and George Acker and J. W. T. Lambeth, to accompany him one Saturday night to locate the place of the meeting, and to read the order to the meeting, and warn them not to bring arms again. He and his posse went to several places where it had been reported these meetings were being held but failed to find them, and concluded to return to town. They were traveling on foot along a narrow lane, the moon was shining brightly, and suddenly a negro stepped out

from the fence corner with a gun in his hand and shouted, "halt!" They stopped. The sentinel called out, "Who comes thar?" Major Heidelberg replied, "I am the deputy sheriff of the county. Who are you?" The negro gave his name, and Major Heidelberg commenced to advance, and the negro leveled his gun and told him to stop. Major Heidelberg knew the negro and called him by name, and remonstrated with him, all the while he and his posse were slowly advancing with their pistols in their hands, until within ten or twelve paces, when they covered him, and ordered him to put his gun down, which he promptly did. They learned from him that the meeting was then in session at the house of Jim Cruise, about two hundred yards further down the road. He said he was a picket, put out there to prevent anybody from coming to the meeting who didn't have the countersign. The Major told him what his object was, to promulgate the order against armed assemblies, and that he must not attend any more meetings armed; and some of the posse warned him, in language more forceful than elegant of what he might expect if they caught him again armed. The negro was thoroughly alarmed and promised obedience, and the party passed on. When they came opposite the house the yard swarmed with negroes like black birds on a hayrick. They could see through the cracks of the building that it was lighted. They stood in the shadow of a tree and watched for some time, and they could see persons coming out and going into the house constantly. There were so many of them they hesitated to venture up to the house, but determined to pass on by, and secrete themselves on the roadside in the hope that they might catch some prominent negro coming or going, and get further information, or open negotiations. When past the house about a hundred yards and descending the hill on which it stood, they were promptly challenged again, and this time by a more determined negro, but one of the posse, taking advantage of the animated colloquy between the deputy sheriff and the negro, made a slight flank movement, and got close enough to cover him with his pistol, and he laid his gun down. They learned from him that W. V. McKnight, a white native, was at the head of the League and was then in the house and that a great many new members were there from all over the county to be "tuck in" that night; that there were

four or five hundred people there. The deputy sheriff was urged by two of his posse to return and break up the meeting. The negro sentinel urged them not to attempt it. He said fully half of them were armed, and if they went up there, they would probably be killed before McKnight could prevent it; that he would go up and see McKnight, and tell him to come out and see them. This was agreed to, and the negro started in a brisk walk up the hill, but before getting half way to the house a crowd rushed out of the house and yard shouting, "halt those men! stop those men! shoot those men!" and they came pel-mel down the hill. The deputy sheriff and his posse ran in a stooping posture to a little thicket near the roadside, and as they were seen running, the bloodthirsty villains opened fire on them, and fully twenty or thirty shots were fired; after the first volley the boys opened on the pursuers with their pistols, and they not only stopped the pursuit, but the cowardly negroes scampered back up the hill. A stentorian voice was heard from the house shouting "stop dat shootin'! stop dat shootin'! nobody tole you to shoot."

George Acker and Lambeth were thoroughly enraged by this time and urged the deputy sheriff that they go back and "clean out the whole cowardly crew." Major Heidelberg and Walter Acker, both ex-Confederate soldiers, and as brave and fearless as ever fought under the Southern cross, said, "no, we can run the whole crowd off, but we would have to kill some of them, and this we want to avoid, unless they follow us up." So they walked leisurely on toward the little village of Paulding. They had gone only a short distance, when some one was seen coming rapidly toward them. They stepped to one side and lay down. When he came up they halted him, at the same time covering him with their pistols. He had a double-barreled shot-gun in his hand and was scared nearly to death, and begged piteously that they would not kill him. They were amazed to find that their prisoner was Thornton Fox, a negro who had been raised in or near Paulding by Burkitt Lassiter, the old sheriff, and lived in Paulding, and swept out the sheriff's office every morning. He had heard the firing and his wife made him get his gun and commanded him to "run for dear life and shoot ever white man you see; ef you don' do it I never will lib wid you anuder day." This was old Thornton's story,

and doubtless was true, for he was a kind-hearted negro, indolent and lazy, worked only at little jobs about town, whilst his wife was a quarrelsome old virago and a "white folks hater."

"I jes' hates de groun' white fokes walks on, I dus, but thank God, de bottum rail's on top and the cullud fokes is gwine ter hab der day now," was a common remark of her's.

Old Thornton was arrested and brought back by the party. The writer had heard the shooting and knew what it meant, and with a double-barreled gun and a six shooter, sat near the front gate of his residence, whilst his wife in fear, watched the little ones who slept, awaiting tidings from the front. Soon Major Heidelberg and his party, with Thornton Fox as a prisoner, came up and a counsel was held as to what was best to do. Four or five hundred negroes incensed and with revenge in their hearts, and believing they would be upheld by the military authorities, might march upon the town and fire it and commit other and greater crimes against the white women and children. When asked what was to be done with Thornton Fox, Major Heidelberg said, "I am going to lock him up in jail." Lambeth said, "kill him, d—n him." George Acker said, "say the word, Major, and I will shoot the infamous scoundrel now!" The negro was thoroughly overcome with fear, and prostrated himself upon the ground and begged for his life, and laid all the blame on his wife. It was finally agreed to keep Thornton's gun and send him back on parole to the League, and find out what was going on; whether they proposed to attack the town or not, and report back within one hour at the outside. He was thoroughly alarmed, and left on a run and within thirty minutes was back and reported that the meeting had "done broke up and the niggers was all skeered, and was leavin' in all directions for home." He further reported that W. V. McKnight, the white man who was at the head of the League, was greatly alarmed, and that he had selected a hundred men to escort him home, and that they had gone through the woods and fields, avoiding the roads.

At the next term of the circuit court the district attorney was absent and the writer was appointed district attorney, *pro tem*. The grand jury indicted eight or ten of the leaders for conspiracy. The next term was pretermitted, and in the meantime Jonathan Tarbell, a carpet-bagger from the State of New

York, had been appointed circuit judge, and Simon Jones, a scallawag, of Brandon, had been appointed district attorney. When the conspiracy cases were reached the district attorney arose and stated that the cases were purely political, that no offense had been committed against the laws of the State, and entered a *nolle pros equi*.

Judge Tarbell had read law when a young man, and was admitted to the bar in the State of New York, but had never practiced his profession. He was about fifty years of age, and was a man of fair literary attainments and of splendid physique, and whilst ignorant of the law, made a very good judge; he was impartial and courteous to officers of the court and members of the bar, and was personally well esteemed. He was afterward appointed by General Ames a justice of the State Supreme Court. His opinions are noted for their great length and the numerous citations on both sides of the case.

Simon Jones, the District Attorney (who had been dubbed by Frantz, of the Brandon Republican, "Sime, the Spellist"), was like necessity, he knew no law. He could not spell correctly many of the commonest words used in every-day parlance. He was fond of liquor, good-natured, didn't care a fig whether the criminal laws were executed or not. He was a Republican "for revenue only," and if a defendant, in any case less than felony, would agree to pay his fee, he could get a "nolly," as he called it.

At the first term of court at Paulding of which Mr. Jones was district attorney, there were six or eight indictments pending against a saloon-keeper for selling liquor to minors, and to Indians, and the proof was clear against him. His attorney posted him about the new district attorney and when he arrived at Paulding Sunday evening, after a drive of about thirty miles from the railroad, tired and dusty, the saloon-keeper sent a bottle of whiskey over to his room with his compliments, and informed him that he would call on him during the evening. The proposed visit, was as much appreciated as the bottle of liquor, as scallawags who were appointed to office were generally ostracised by the people, and often found it difficult to obtain comfortable lodging. When the saloon-keeper called he was graciously received and assured that he had rightly anticipated his wants, and was told "If I can do

anything for you during court, let me know." Whereupon they took a drink together, and soon another; and this representative of the State insisted that he wanted to do something for this, his new found friend. Finally the saloon-keeper told him there were several indictments against him for selling liquor to minors and to Indians. He said, "A great big eighteen or twenty-year old boy comes into the saloon and asks for a drink; he has a moustache, looks to be twenty-five years old; how can I tell he is a minor?" "That's so," said the district attorney, "you can't tell his age if you were to look in his mouth," and then they laughed. "Then," continued the saloon-keeper, "my barkeeper is the best one I ever had, but the darned fellow can't tell an Indian from a mulatto." "That's so, they do look alike," said Mr. Jones, "but let us take another drink, and to-morrow I'll 'nolly' every d—d one of them."

To clinch this proposition the saloon-keeper said, "but you are at great expense, going from court to court, and I will pay you your fee of ten dollars now, in one case, if you will dismiss all of them to-morrow." The bargain was kept. The cases were dismissed. Others "caught on" and there was a general jail delivery at that term of court. Only one conviction, and that was a negro woman on a charge of "attempt to commit infanticide" by taking her new born infant to a potato patch and burying it beneath a pile of potato vines. A man passing about daylight heard its cry and rescued it. The little ten months' old "coon" was in its mother's arms when she was arraigned for trial. She plead guilty, was sentenced to jail for six months and hired out for the costs of the case.

Such was the way in which the law was administered in East Mississippi under military rule during reconstruction.

THE CONSTITUTION OF THE BLACK AND TAN CONVENTION.

The proscriptive constitution which had been framed by the "Black and Tan Convention," elected by the military authorities of the State, disfranchised nearly half the white people. Hence it was ratified at an election held by the military authorities, with armed soldiery at the polls, since only a few whites could vote, and many others who were qualified refused to do so, because they did not regard the election as free, and that ratification was a foregone conclusion.

General Grant, in the exercise of authority vested in him, refused to approve the constitution as a whole, and re-submitted the obnoxious sections at the election held in November, 1869, at which election all State and county officers were to be chosen.

The writer was making a campaign with Judge W. M. Hancock, who had joined the Republican party, and was a candidate for State Senator in the district then composed of Clarke, Wayne, Jones and Jasper counties; he was urging the ratification of the obnoxious clauses of the constitution, whilst the writer represented the white people and opposed the ratification. The canvass was a tempestuous one. The negroes turned out *en masse* at every appointment, whilst only a few whites attended them, and they were generally young men, and most of them ex-Confederate soldiers. At Claiborne, in Jasper county, there were fully five hundred negroes, and only about fifty white men, but they were as good "grit" as ever ran a gauntlet, polished a blade, or pointed a gun. It was Judge Hancock's day to speak first, and during his speech he reflected upon the sincerity of his opponent in some statement he had made, and was promptly called to account. For a time it seemed as if a personal encounter would ensue, and the white men crowded around the stand (which was a goods box, out in the middle of the street) and this irritated the Judge. All were armed, including the speakers. This conduct of the white men had its effect, and the Judge disclaimed any intention to reflect upon his opponent; said he had been misunderstood, and offered him his hand, which was accepted. At this the white men yelled and shouted for several minutes, and geyed the Judge with such remarks as, "there, now, little ruffle shirt, your bluff didn't win; better quit the race and go with the niggers."

The negroes, very much frightened, began to scatter and the Judge became very much incensed. He saw the tables had been turned on him. He was a brave and honorable man, very small in stature, quick and impulsive, and always carried a Derringer pistol in each pocket of his trousers and a bowie-knife in his waist belt. He knew that a single shot, or a single blow in that crowd meant his certain death, and perhaps the death of many others; in fact he came near losing his life, as the sequel shows.

There was, on the outer circle of the white crowd, an ex-Confederate soldier, Si McCurdy, a courageous but quiet man, who, when excited, snapped his eyes. He stood quietly, with his eyes fixed upon the Judge with the intense gaze of an enraged lion, ready to spring upon his victim. Judge Hancock had observed him, and when the clamor had subsided, he said: "I have tried to conduct this canvass upon high grounds. I have no complaint to make against my opponent; he is a gentleman, a brave and able man, but I have not been fairly (fairly) treated here to-day. That's a man who has been glaring and snapping his eyes at me, and if he fools with me I will shoot a hole through him," pointing his left hand at McCurdy, and holding his Derringer partly drawn with his right. McCurdy, as if startled, raised himself to his full height and shouted in a loud voice: "Who, me?" "Yes, sir," said the Judge. McCurdy leaped forward with an oath, but was caught by some of the boys, who tried to restrain him; but he was gradually making his way to the Judge, who stood like a statue, his face as white as marble, but not a nerve quivered, or a muscle trembled. The peril to both was great. A friend of McCurdy's cautiously slipped up within striking distance of the Judge, and with a knife drawn, was about to strike him, when Dr. McAllum caught his arm. It is due to this gentleman, however, to state that he expressly avowed afterward that it was not his purpose to strike the Judge unless he drew his pistol and attempted to shoot; that he meant only to save the life of his friend, McCurdy. The writer mounted the stand by the side of the Judge and urged the boys to allow him to proceed with his speech without further interruption, which they did; but he only spoke a few minutes and sat down.

When he closed nearly all the negroes left except a dozen or two. They did so upon a signal given by a copper-colored negro preacher, named Jake Carlyle. He had done this on several occasions previous to this. The white boys determined to stop it. So that night, a number of them went to old Jake's house *en masque*, made him get up and make a light. They told him that he had lead the negroes off from the joint discussions for the last time; that there would be speaking at Shady Grove the next day, and he must be there, and when the joint debate was over, they were going to call him out, and if

he did not get up and make a speech against the "Black and Tan Constitution" they would hang him that night; and they shook a rope at him which they carried along, and told him he would die on one end of it the next night. They were intensely in earnest. They told no one what they had done. The next day at Shady Grove, there was the usual great crowd of negroes and the faithful few white men. After the usual heated debate, the boys began to yell: "Jake! Jake! Jake!" The old negro arose slowly and came to the stand, and in a voice of deep emotion began: "My frens: After de great excitement yestiddy at Claiborne, I thought if dis thing wen' on, dar was gwine to be blood shed; and so las' night, I praid de Laud, ef he would spare me to come to Shady Grove to-day, I would lisen to bof sides alike; and I prayed dat he would give me grace to see de right way. And so I'm here. I sot down right dar and herd every word of bof de speakers, and as God is my judge, I'm a converted man." Then came the wildest yells from the whites, and shout after shout resounded, "hurrah for Jake! go on, go on." When the shouting ceased, old Jake raised his voice to a high pitch and continued: "My colud frens and brethren may cas' me off, but I can't help it: I bleve its rong to disfranchise de white fokes and not let 'em vote. We all live in dis country togedder, and we can never have no mo' peace if de colud fokes vote and hole offis, and de white fokes can't." Then came a renewal of the yells and shouts: "Three cheers for Jake! We'll stand by you, Jake! go on, go on."

The old negro made a splendid speech of half an hour, replete with sound arguments why they should all vote against the constitution.

The boys equipped him with a mule and saddle and sent him around to other appointments, and he became deeply in earnest, and often wept as he portrayed the horrors of a race war and begged for peace. He never went back to the Republican party, but ever after that voted with the Democrats.

It is not the persuasive argument that is always potential with the negro.

The district could have been easily carried for the Democrats, if the white voters had attended the polls and voted. Over half of them refused to vote, declaring they never would go to

the polls and vote with the negroes. Five years of misrule, with taxation which amounted to practical confiscation, caused them to change their minds, and many of them not only voted, but voted early, often and late.

The writer wishes here to do justice to the memory of Judge Hancock. He became thoroughly imbued with the conviction after the passage of the reconstruction laws by Congress, that the best policy to be pursued was for the white people to accept the situation, join with the Republicans, and gradually get possession of the State government. He remained with the Republican party to the day of his death, and had great influence in its counsels, and that influence was exercised in the interests of the white people, as well as of the negroes; and his constant efforts were to harmonize the races as far as possible, but where conflicting interests were irreconcilable, he was always for the whites.

He and the writer had over thirty joint debates during that tempestuous canvass, and at its close were strong friends, and this friendship continued to the day of his death. May he rest in peace.

PROMINENT CARPET BAGGERS.

There were only three resident carpet baggers in East Mississippi, H. Musgrove and E. L. Howett, of Enterprise, and ——— Barker, of Shubuta.

Musgrove was elected State Auditor of Public Accounts, and made money enough in one term to open a banking house in Jackson. He was known as "Modest Mus." This epithet was applied to him because of the fact that he was in the habit of reporting his own speeches to the Republican press and lauding himself as a great orator and statesman, as well as a great organizer. Howett came from Illinois and was by the military governor appointed District Attorney for the old eighth judicial district. Barker came from the State of New York, penniless and was a tramp for a time, and applied to Mr. Clem Lang, of Clark county, for employment. It is said that he often slept at night in a horse trough. Colonel Lang, moved with sympathy, gave the fellow employment, and he was subsequently appointed by the military governor, Mayor of Shubuta,

and at the first general election he was elected by the Republicans Clerk of the Circuit Court of Clark county.

George C. McKee and W. H. Gibbs who resided in the western part of the State, and James Lynch who resided at Jackson, Mississippi, came over at different times into the eastern counties and made public addresses, the audiences always being composed mainly of negroes.

Jim Lynch alone deserves especial notice in this paper. He was a dark mulatto, born and raised in Pennsylvania; he was highly educated and was a Methodist preacher, and was sent down to this State by the Northern Methodists as a missionary to the negroes. He was a remarkable man. He was of medium height, broad-shouldered, with a superb head and sparkling brown eyes; his hair was black and glossy and stood in profusion on his head between a kink and a curl. He was a great orator; fluent and graceful, he stirred his great audiences as no other man did or could do. He was the idol of the negroes, who would come from every point of the compass and for miles, on foot, to hear him speak. He rarely spoke to less than a thousand, and often two to five thousand. He swayed them with as much ease as a man would sway a peacock feather with his right hand. They yelled and howled, and laughed, and cried, as he willed. I have heard him paint the horrors of slavery (as they existed in his imagination) in pathetic tones of sympathy till the tears would roll down his cheeks, and every negro in the audience would be weeping; then wiping briskly away his tears, he would break forth into honsannas for the blessings of emancipation, and every negro in the audience would break forth in the wildest shouts. There was a striking peculiarity about this shouting. Imagine one or two thousand negroes standing *en masse* in a semi-circle facing the speaker; not a sound to be heard except the sonorous voice of the speaker, whose tones were as clear and resonant as a silver bell; and of a sudden, every throat would be wide open, and a spontaneous shout in perfect unison would arise, and swell, and subside as the voice of one man; then for a moment a deadly silence would follow, and every eye would be fixed on the speaker as he resumed, until all of a sudden the mighty shout would rise again, and again, and so on, at intervals for a period of from one to three hours. The writer has stood transfixed to

one spot, and listened to him, and observed the masses so completely under his influence, and how, as one man, they would all shout together; no one gave the cue, but all together, and the rhythmic cadences were in perfect unison. I could not understand it; but in the light of the discoveries of the laws of psychic phenomena, I am now sure that it was done by the hypnotic power or influence of the speaker. Doctor Hudson, in his work on the *Law of Psychic Phenomena*, states that all great orators possess hypnotic power, and by this power sway their audiences.

Lynch always spoke out doors, as no house could hold his audiences, and always spoke in daylight. He was a great coward and could never be persuaded to speak at night.

He was elected to the office of Secretary of State, and it is said that during his term of office he became rather dissolute. He drank to excess, and his influence over the better looking class of young negro women, lead him into forbidden paths and excesses, that cut short his life. He died before his term of office expired, and before reaching the full meridian of his manhood. The mongrel legislature appropriated two thousand five hundred dollars for a monument to his memory, and it is a singular fact that he is the only man to whose memory a monument was ever erected in Mississippi by legislative appropriation.

PERIPATETIC CARPET BAGGERS.

There was a class of peripatetic carpet baggers who played upon the credulity of the negroes, and swindled them under various pretexts. One of their favorite schemes was, to remarry them. They were told that, as they had never been regularly married, according to law, all their children were bastards, and they could not inherit any property that might be left by their parents; that the lands and mules of the slave owners would be confiscated by the government and divided up among the old slaves, and that each man, the head of a family, would receive forty acres and a mule. It was necessary, therefore, that he should get a license and marry his wife, and legitimize his children. And this, in the face of the fact that the Legislature had passed an act legalizing all marriages, where the parties were living together as husband and wife at

the time of the passage of the act, and legitimatizing all children that had been born of such marriages.

These rascals usually went in pairs; they had printed marriage certificates which one of them would sell for two dollars, and the other, who was the "parson," would marry them for two dollars. Old negroes who had been married for thirty and forty years, and had raised large families of children and grandchildren, would meet these rascals, pay their four dollars, and "git marrid, 'cordin' to law."

Another set would go around and sell the credulous creatures painted stakes which they were to use in staking off the "forty acres" of land. These were usually sold at fifty cents each.

The following story was current in those days, but the writer does not vouch for the truth of it. An old negro had been to Shubuta and sold some produce, and was returning home with about ten dollars in cash. He met one of these enterprising fellows, who said to him: "Old man, you are going the wrong way. Better turn round and go back with me to Shubuta. I'm the man that is dividing out the land and mules." "Is you de man, Boss? I'se mighty glad to see you, but I can't go back to toun dis evenin', but I can come Monday." "No, that is not necessary, I can fix you up right here, as you are an old man."

He questioned the old negro about the plantation and the mules; told him to select the mule he wanted and forty acres, and give him ten dollars and he would give him a receipt that would entitle him to his deeds when the man came around to make them out. The old man said he wanted "Ole Beck, de big gray mule, and forty acres in de fork ob de creek." The carpet bagger took out his pencil and wrote a paper and gave him, receiving ten dollars; the old man went on his way rejoicing. He came home singing:

"Jay bird pull up my new groun corn,
Shot gun loss um trigger;
White man ain got no tail,
Needer has a nigger.

Chorus: Do come along my sandy boys,
Do come along, oh do;
What will uncle Gabriel say,
Oh do come along, oh do."

As he passed through the yard at a side gate a young lady on the back piazza observing his merry mood, said: "What's the matter, Uncle Joe, you seem very happy?" "Yes, young Missus, I is happy. I dun got my forty acres and a mule." "How did you get them, Uncle Joe?" "A man 'pinted by de guv'ment guv me a paper, here 'tis."

The young lady opened and read the paper and burst into uncontrollable paroxysms of laughter. As soon as she could control herself she asked: "Do you know what is in this paper, Uncle Joe?" "No, mam, but dat offser tole me, it was my title paper; you know I can't read, please read it Missus." She read: "As Moses lifted up the serpent in the wilderness, so have I lifted ten dollars out of this old fool negro."

The old negro hung his head in silence for several minutes, then slowly raising it, and looking away into the distance, sorrowfully said: "I'm sho' a fool nigger," and went his way, a sad but wiser man.

The "Pinch-beck Jewelry" peddler, though, had the bonanza. The negro is exceedingly fond of jewelry and they bedecked themselves with finger rings, earrings, breast pins, etc., which paid a profit to the peddler of one hundred to two hundred per cent.

Nearly all of this money came out of the white people. Petty stealing of poultry, pigs, fruits, corn, and cotton in the seed, was carried on systematically throughout the country. The negroes were taught by these graceless scamps that, as they had worked as slaves and accumulated this property without being paid for their labor, they had a moral right to it.

I will close this paper by relating an incident of the election in November, 1875, when the white people of the State regained control of the legislature. It occurred in Meridian. The election was being held on the corner of (old) Johnson Street, near the Sanford residence. The white voters took possession of the polls early in the morning, whilst the negroes—who outnumbered the whites—stood in a solid body across, and along Johnson street, awaiting an opportunity to march to the polls. Each one had been previously provided with his ticket. Repeated attempts had been made by the whites to get them separated that they might talk with them singly, and in person, and influence them to vote with the whites; but all to no pur-

pose. Every imaginable friendly device had been employed by the whites, but without success. The negroes stood as solid as a Grecian Phalanx, and were sullen and morose. If a negro came up to vote unaccompanied by a white man, a Democrat, the whites would get in ahead of him, and crowd him out. About eleven o'clock the manager of the Western Union Telegraph office came, and voted, and started back to his office. A man who shall be nameless in this article, accosted him and said:

"Mr.—I would like to get a telegram from Oliver Clifton, Secretary of the State Democratic Executive Committee, saying: 'The negroes in Hinds have repudiated Ames, and are voting solidly with the white people.' If I can get that sort of a message, we can carry this election." In about an hour a messenger boy with his receipt book was going through the crowd saying he had a message for ———. He was soon found, and receipted for it. The crowd had begun to gather around supposing that it contained election news. It was opened and read by the gentleman, who waved it high in the air, saying "Glorious news from Hinds!" "Read! read!" shouted the crowd. He mounted a goods box and read in stentorian voice: "The negroes have deserted Ames, and are voting solidly with the white people. Signed, Oliver Clifton, Secretary."

Such a shout has rarely been heard at an election. The whites, as well as the negroes thought the message genuine, and the wildest excitement ensued. The whites poured in among the negroes and pleaded with them to follow the example of the negroes in Hinds and vote with the white people. But they stubbornly refused, and broke up and left for their homes refusing to vote at all except about one hundred or more who were induced to vote with the Democrats.

A gentleman who formerly lived in Enterprise, thought the dispatch genuine, and rushed to the telegraph office, and repeated the message to Enterprise; and another, who lived in Columbus, did the same thing and this little *ruse* made victory for the whites easy.

Whilst upon purely ethical grounds this act might be condemned, yet those who are familiar with the conditions which existed at that time, and which made success an imperative necessity, will rather applaud than condemn; it was a harmless

piece of strategy that bore abundant good fruit for both white and black.

THE TRANSITION PERIOD.

From A. D. 1866 to 1876 were perilous times indeed. Neither the whites, nor the negroes were prepared for the conditions that confronted them. It was impossible for the whites to recognize their former slaves as their equals civilly and politically, to say nothing of social equality, which the white carpet-baggers practiced, and which they persistently taught the negroes that they were entitled to.

Federal troops were stationed in the State to uphold the civil authority and the negroes, taught and misguided by the designing carpet baggers and scallawags, assured of protection from the soldiers, they became exceeding arrogant and insolent, to a degree that would cost them their lives if indulged in to-day. It was not uncommon for white men, who had braved the leaden hail, and roar of many a battle with unblanched cheek, to give the side walk to half drunk swaggering negroes, rather than be knocked off by them. To begin a fight was to involve everybody in it, white and black, as shown by the bloody riot at Meridian; then the military authorities were in sympathy with the negroes. 'As for the white women, they dared not go out, day or night without an escort. Everybody went armed, and a sense of insecurity and uncertainty pervaded every home and every community.

It was out of this state of things, the Ku Klux Klan was evolved. It was a necessity of the times. It came, it was effective, and was and should ever be, esteemed as a great boon to an impoverished and oppressed people. I cannot write the history of the K. K. K. in this paper, but leave that for a future day or for another.

A GREAT PROBLEM.

I am not an alarmist, but I must be pardoned for expressing the opinion that the greatest problem that confronts the Southern people of to-day, is the race problem. It is not only, not settled, nor being settled, but on the contrary we are farther away from a solution of it than ever before.

I can see no solution possible, except; First: Deportation of

the blacks by the United States government; or Second: A race war in which the colored race will be practically exterminated.

If the first is not adopted, the latter is inevitable in the course of time.

It is contrary to the law of the Almighty that two separate and distinct races of people, should live in the same country on terms of equality.

"Of one blood he made every nation (not all nations) of men for to dwell on all the face of the earth, having determined their appointed seasons and the bounds of their habitation," are the words of the great apostle of the Gentiles.

It is claimed by many that education and the Christian religion will afford a true solution for the race problem. But this is mere opinion. There are few facts to support it. On the contrary, over a third of a century of freedom and education and religious instruction, have signally failed, so far, to substantiate that claim. The "new negro" has not the general intelligence, nor the politeness and refinement, nor the industry, nor the love of truth and virtue, of the "old negro"—the slave. The "new negro" has more book learning, but he does not compare to the old slave in the qualities of sturdy manhood and the exercise of truth and virtue.

The deportation of the Spanish army from Cuba by the government demonstrates the fact that, it can within a period of twenty-five or thirty years, deport the negroes of the South to the Philippine Islands, and extending over such a long period of time, it could be done without material detriment to the industrial interests of the South.

It would be a humane and benevolent solution of the problem, and one that is due to the negroes, that the government should do this at its own expense.

With the race problem settled, or its settlement assured at any period within the near future, the South would enter upon the greatest era of prosperity within her history, or within the history of any other country. The infinitude of her undeveloped resources under the skill and manipulation of the Saxon race, would soon make her the wealthiest and most powerful section of this great country.

THE LEGAL STATUS OF SLAVES IN MISSISSIPPI BEFORE THE WAR.

BY W. W. MAGRUDER.¹

It has been nearly four decades since the War between the States. We are standing to-day in the new light of the twentieth century; and many past events have receded into the dim shadows of oblivion. We are not now in that immediate proximity to those tremendous incidents which fills the vision and takes away the power of seeing either their perspective or the surrounding situation. The history of the South is written in

¹William Wailes Magruder was born at "Hazlewood," the old homestead of his grandfather, which was situated in Madison county, Mississippi, near Sharon, about seven miles from Canton. His father was Dr. Augustin Freeland Magruder, son of Major John Hawkins Magruder, who came to this State from Maryland. His mother was Julia Harriet Abbey, daughter of Rev. Richard Abbey, a prominent minister of the M. E. Church, South, author of *Diuturnity* and several other religious and ecclesiastical works, and for many years Financial Secretary of the great Methodist Publishing House at Nashville, Tennessee.

In 1868 Dr. Magruder removed with his family to Yazoo county, where the subject of this sketch was reared. The family lived in Yazoo City and then upon a plantation, two miles from that point, where Dr. Magruder died on the 14th day of December, 1884. His wife died August 22nd, 1901, in New Orleans, Louisiana, where she had lived for several years.

The early education of W. W. Magruder was acquired in the private and public schools of Yazoo City. He entered the University of Mississippi in the fall of 1883, remaining there until called home during the next session by the illness of his father, after which he entered the Mississippi A. & M. College, where he graduated with the B. S. degree in the class of 1887. He located in Starkville soon thereafter, and was married on the 29th day of May, 1888, to Clemmie A. Henry, only daughter of Mr. J. O. Henry, a prominent citizen and leading merchant of that place.

For several years he was engaged in book-keeping and in mercantile and banking enterprises. Deciding to enter upon the practice of law, which had been his chosen vocation from early life, he re-entered the University of Mississippi in 1894, and received the degree of LL. B. "with special distinction." He then entered upon the practice of his profession at Starkville, Mississippi. In 1896 he became associated with Mr. Thomas Battle Carroll, under the firm name of Carroll and Magruder. For two years Mr. Magruder has been President of the Alumni Association of the Mississippi A. & M. College. He is also President of the Security State Bank of Starkville, Director in the John M. Stone Cotton Mills, and in the Starkville Cotton Oil Company. He is a member of the Methodist Church and Superintendent of the Sunday school.—EDITOR.

broad statesmanship, pure patriotism, splendid courage, and good citizenship. Our older men do not dream dreams; but, accepting Appomattox in good faith as the final arbitrament of controverted issues, ask only that the record shall do them justice, and deal fairly with the events and conditions which preceded Fort Sumter. Our young men, proud of their fathers and respecting their unexampled achievements in peace and in war, have turned their own faces to the future, and look with confidence upon its large opportunities in science, literature, and industrial development. They have come to know that the lump of coal, black with nature's pigments, but glowing in the flame of the furnace, is a slave that never sleeps, never grows weary, but toiling day and night, unemancipated, yields a rich recompense of reward to him who controls and directs its power. They realize that to-day is our industrial renaissance, and that Southward the irresistible impulse of industrial imperialism makes its way, impelled by the laws of commerce and the forces of infinity. Slavery, or involuntary servitude, had its bright side, and its dark side, although some there be who see only the former, and some, only the latter.

It is usually a mistake to assume that any cause has only one side; and the assertion that this principle does not apply where moral questions are involved finds its refutation in the intolerance of the middle ages, the persecution of early Christians, the Reformation, St. Bartholomew's massacre, and the burning of the Salem witches. It is to be feared that there are many to-day who would conscientiously light the fires on Witches' Hill.

A former scholarly discussion of this subject under the title, "Early Slave Laws of Mississippi" (Vol. II., *Publications of the Mississippi Historical Society*, page 133), by Hon. Alfred H. Stone, a talented and distinguished citizen of the Delta, relieves us of the necessity of tracing in careful detail the origin and development of the State's legal system with reference to the institution of slavery; and we will therefore indulge in a somewhat general review of the operation and application of those laws as we find them, necessarily referring more or less extensively to some of the constitutional provisions, congressional and legislative acts, and judicial decisions cited and discussed by Mr. Stone.

The dark cloud of human slavery has been forever rolled away; and we, a slave-holding people, now view its passage with a large degree of equanimity, only regretting that the principle of confiscation rather than compensation was adopted by our Northern friends. It was good morals for them to sell us the slaves; but it was bad morals for us to keep them. The right or the wrong of the matter seems to have been largely a question of ownership, the principle involved changing *eo instanti* with the title. The industrial and climatic conditions of the Southern States made slavery more profitable here than elsewhere, and naturally the slave population was concentrated where the situation was most favorable. Brother Jonathan in due time passed his nominal laws in the New England States prohibiting slavery, where it was already prohibited by the logic of nature's stern decrees; but his slaver sailed the seas, coining the black man's sweet freedom into Southern gold. The institution of slavery as it was operated here among us may have been bad; but the incidents of the system elsewhere were infinitely worse. The South pleads guilty to the cotton plantation with its hard labor and its reasonable chastisement for insubordinate slaves; its happy, contented, well fed, well clothed people; the negro quarters full of melody, music, and simple joys; the "great house" with "Old Master" and "Old Miss;" the little pickaninnies and the black "mammies;" the full understanding between us and them out of which grew so much of comradeship, genuine loyalty, and affectionate consideration. The North must upon the facts plead guilty to the slave trader and the slave ship with fork and scourge, cruelty, starvation, pestilence, and death. We are willing to assume full responsibility for our part of the system, if they will take charge of its incidents under their preliminary administration. However, the practical issue has been long since settled; and upon these questions of ethics, we and our friends will continue to differ. Emancipation has given us for solution questions of tremendous import in the domain of good citizenship and statesmanship, all of which we must be left to settle in our own time and our own way.

Among the papers constituting the organic law of this country, the Ordinance of 1787 for the government of the great Northwest Territory stands in importance subject, perhaps, to

only the Declaration of Independence and the Constitution of the United States. The ordinance prohibited slavery within that extensive jurisdiction to which it was applied. It is a noteworthy circumstance that this ordinance, the first legal limitation imposed upon the extension of slavery in America, was supported by every Southern member of Congress. We did not seek and encourage the development of the institution of slavery—it resulted from the inexorable logic of our situation and circumstances, and most especially from the invention of the cotton gin by Eli Whitney.

By the Act of Congress, April 7, 1798, for the Formation of the Mississippi Territory, the President was authorized to establish for the said Mississippi Territory "a government in all respects similar" to that provided in the Ordinance of 1787, excepting only the last article thereof, which prohibited slavery. In the seventh paragraph of the Act for the Formation of the Mississippi Territory, the importation of slaves from without the limits of the United States was forbidden under penalty of fine, the slaves so imported to receive their freedom.

The view is advanced by Mr. Stone that slavery in this Territory in its incipient organization was prohibited until the Georgia Cession in 1802; but we cannot subscribe to this opinion, regarding the exception in the Act of 1798, and the section thereof prohibiting the importation of slaves from any point WITHOUT the limits of the United States as permitting their importation from any point or place WITHIN the United States, and recognizing human slavery as an established legal institution. We are thus forced to the conclusion that slavery was never at any time prohibited in Mississippi Territory.

It is probably not possible to fix with certainty its origin in the Territory. There can be no serious question but that it existed here as a legal institution of the various colonial governments from some remote time in the period of exploration and discovery. It was introduced into the United States in 1620; and African slaves were owned in the territory of this State at least as early as 1707. At the time of the grant by the King of France, Louis XIV, to Antoine Crozat in 1712, there were already about twenty African slaves in the colony, and Crozat was obligated to import a cargo of slaves annually from Africa, which he failed to do, the first full cargo of this human

freight not being received until the month of July, 1720. Under the administration of John Law, by authority of the Charter to the Western or India Company, an active slave trade was inaugurated in the year 1718. The Company's Charter contained a stipulation that 3,000 African slaves should be imported; and a census taken in 1720 showed that there were 500 in the colony all told, while in June, 1721, there were some 600, from which time their numbers rapidly increased. Their exportation from the Colony was forbidden; and their value was fixed at 660 livres (about \$170.00), for each able bodied man or woman between the ages of seventeen and thirty, and free from all physical imperfection: the same price was fixed for three children of eight to ten years old, and the same price for two children over ten and under fifteen years of age, the consideration being payable one-half in cash and the other half in twelve months. The Black Code of 1724 for the government of the slaves required that they should be brought up in the Roman Catholic faith, and among other noteworthy provisions prohibited all amalgamation of the races. It may be mentioned as remarkable that the Church of Rome has practically no adherents to-day among our negro population. During the period of French colonization, the authorities used their slaves as soldiers in the constant Indian warfare of that time. After the Fort Rosalie massacre, the negroes attached themselves to the Natchez tribe of Indians, and operated with them in their military organization until they were at a later date mainly killed or recaptured in a desperate engagement with the French.

Neither is it by any means easy to ascertain the exact time at which the slaves in Mississippi received their legal freedom. The Supreme Court of the State has twice declined to decide the question. By Lincoln's proclamation of September 22, 1862, all persons held as slaves in the seceding States were declared to be free on and after January 1, 1863. In the case, *V. & M. R. R. Co. vs. Green*, 42 Miss., 42, the Court held that the President's proclamation was only a military order, and that the slaves were not emancipated thereby on January 1, 1863, the opinion further reciting, "How or when they were emancipated after this time is not important to the decision of the case before us."

In *Herrod vs. Davis*, 43 Miss., 102, the Court stated that the

precise time when slavery was abolished had never been judicially determined. The provision adopted by the Constitutional Convention of 1865 prohibiting involuntary servitude in the State, by way of preamble or recital, declared that slavery had long before that time ceased to exist. How, when, or where the emancipation of the slaves was legally accomplished in the State has, therefore, never been definitely settled by legislative announcement or judicial opinion; and remarkable as it may seem, it is impossible to fix the time when slavery ceased to exist as a legal institution in Mississippi. However, any negro to-day will promptly inform you that the date of emancipation was "Ada May" (8th of May), which day they religiously and devotedly celebrate at their "Black Jack," "Chigger Hill," and "I. John" churches.

The people of the western part of the Mississippi Territory in pursuance of the preliminary Act of Congress adopted the first Constitution of Mississippi at the town of Washington in a convention extending from the 7th day of June to the 15th day of August, 1817; and the State was formally admitted to the Union on the 10th day of December, 1817. During her colonial settlement, her territorial organization, and from the time of her admission as a State, Mississippi authorized and legalized slavery until after the war. Every constitution of the State within that period, a great number of legislative enactments, and a multitude of judicial decisions recognize the established existence of slavery, and define the limitations of the slaves' rights and wrongs.

In the case of *Harry vs. Decker, Walker* (1 Miss.), 36, our Supreme Court in 1818 announced that, "slavery is condemned by reason and the laws of nature," expressly holding that involuntary servitude can exist only by virtue of municipal regulations, and that all questions of doubt must be resolved in favor of liberty.

The Supreme Court in the *State vs. Jones, Walker* (1 Miss.), 83 (decided in 1821, and the second criminal case officially reported in Mississippi), held that slaves were rational human beings, and that it was as clearly murder to kill a slave as to kill a freeman, even though the homicide be committed by the master. The defendant, a white man, was here sentenced to be hung for the murder of a slave. Our Court expressly held in

later cases that the status of slaves was not determined by general legislation; and this decision in the Jones case was rendered and subsequently cited with approval only under the view that, when the law recognizes the existence of a person as a human being, the law will protect that existence. However, with the exception of this class of cases involving their lives, they were never punished or protected by general legislation; and no law affected slaves, unless they were specially indicated or included in its terms. Slavery as it existed in this country was not known to the common law of England; and its provisions were held by our Court to be not applicable to the status of slaves under the conditions of the system here.

The various codes of the State declared them to be personal property; and while their rights as persons were also declared and enforced, yet their status as property was so definitely fixed by statutory enactment and judicial construction that owners or claimants could only be deprived of asserted authority and title by the verdict of a jury, the writ of habeas corpus being held not applicable in such cases. Color was taken to be *prima facie* evidence of liability to servitude—of property in some one, or, in plain terms, every negro was presumed to be a slave. While slaves were thus precluded from the writ of habeas corpus, they were entitled by statute, as indicated above, to a “suit for freedom” or emancipation either in term time or in vacation and to trial on the issue, aided by counsel, before a jury.

They enjoyed in criminal cases the same right to bail as did other persons, and in capital cases, the right of appeal to the Supreme Court.

Slaves were competent witnesses in all cases, civil or criminal, where only negroes or mulattos, bond or free, were parties, but in no other cases. Our juries to-day attach but little importance to negro testimony where a white man is involved; and our courts, recognizing its uncertainty and danger in all cases, weigh it with great caution. No thoughtful citizen, and more especially no member of the legal profession, can view the general competency of negro evidence without grave apprehension. Their lack of education deprives them of those aids to memory by way of written records or statements upon which we rely so largely; and it thus comes to pass that the faculty of memory (upon which they must depend), is abnormally de-

veloped. This makes them with their usual indifference to the truth most dangerous witnesses, and their testimony is a menace to the administration of public justice.

The voluntary confession of a slave could be taken by the Court. Owners were competent to testify in behalf of their slaves, notwithstanding their interest, and the general disqualification then existing on account of interest.

Slaves or free negroes were not sworn as witnesses, but were enjoined to tell the truth under threats, it must be confessed, of most extreme severity in event of perjury.

The law declared nearly two score offenses to be capital crimes when committed by slaves, and in such cases, the defendant was tried under the general laws applicable to white persons, with certain modifications. In cases not capital, the mode of trial varied at different times, being under the Code of 1857 the organization of a special court composed of two magistrates and five slave-holders, a majority of the seven triers rendering a verdict and sentence. Upon the trial of slaves for criminal offenses, under the first Constitution of the State, no investigation and indictment by a grand jury was necessary, although trial by jury was mandatory in all capital cases. The Constitution of 1832 retained the jury trial, and also required indictment by grand jury in capital cases.

By virtue of provisions in the Constitutions both of 1817 and 1832, the Legislature was empowered to pass laws permitting owners, subject to certain qualifications, to emancipate their slaves; but the passage of any law for the emancipation of slaves without the consent of their owners was forbidden, except in cases where "the slave shall have rendered to the State some distinguished service," in which event the "owners shall be paid a full equivalent for the slaves so emancipated."

While the Legislature was thus constitutionally authorized to enact laws for the emancipation of slaves under certain conditions, the different assemblies seem to have regarded all emancipation with grave disfavor. Early laws passed by the Legislature did permit owners to emancipate their slaves, but under such restrictions as almost amounted to the absolute prohibition subsequently declared by the Code of 1857.

Both constitutions granted to the Legislature full power "to oblige the owners of slaves to treat them with humanity;" and

laws were passed forbidding on the part of owners all "cruel or unusual punishment" under severe penalty.

It was early established by our court in a series of decisions that slaves were not citizens, that they were incapable of owning property in the State, and that their status in other States, whatever that might be, was not recognized here.

The importation into the State of slaves "born or resident out of the United States" was at all times prohibited. Their importation as merchandise or for sale from other States of the Union was for a time prohibited, though this latter inhibition was soon repealed. Both constitutions and codes prohibited the importation into the State of slaves guilty of felony or other crimes.

The law took no cognizance whatever of the marital relations of slaves, and their marriages were without legal validity. This was a grievous offense in the mind of the abolitionist, and it must be admitted was from the standpoint of morals an unfortunate incident of the system. On the other hand all well informed people acquainted with the conditions in the South are aware that the family relations of the slaves were not only permitted, but encouraged; and it is entirely within the record to say that slave marriages were of more permanent character than the negro marriages of to-day, when the men not infrequently exchange their wives temporarily, or barter away the virtue of their daughters. The family relations of our negro population, after nearly forty years of freedom, constitute but a travesty and mockery upon the sacred institution of marriage far more revolting than the conditions of slavery. The possibility then that the slave husband or wife or children might at any time be sold away of course existed; but the disposition of slave-owners was to hold their slaves and use them in the development of their large estates.

It is also true that the relations between the slaves and the families of their owners were frequently of such a character that no art, power, or persuasion could have been sufficiently potent to scatter the slave families or to disrupt their family circles. Their morality was encouraged, and any tendency to immorality discouraged and discountenanced. Their marriages frequently took place in the parlor or dining room of their owner's residence; and in those cases where household servants were of

the contracting parties, the dusky brides were in some cases at least arrayed for the ceremony by the young ladies of the family, and dressed in elegant garments contributed by them for the occasion. An instance is mentioned by a prominent minister of the Methodist Episcopal Church, South, in which at the request of the owner, Judge H. F. Simrall, Chief Justice of the Supreme Court of the State, he performed a marriage ceremony in the family residence between a pair of slaves with all the rites and sanctity of a church marriage.

In this general connection there is a vast volume of law, written and unwritten, by which the system of slavery was administered. Our statute books are full of enactments (in the main just and reasonable, but not infrequently both unwise and pernicious), by which the legal status of slaves was fixed and determined. In this paper, it has not been my purpose to digest the many slave laws of the State "commanding what is right and prohibiting what is wrong," but only to review those broad provisions in its legislative enactment and its judicial construction defining and establishing the character and limitations of an institution, happily passed away, that had in it much of evil and no little of good.

MISSISSIPPI'S CONSTITUTION AND STATUTES IN REFERENCE TO FREEDMEN, AND THEIR AL- LEGED RELATION TO THE RECONSTRUCTION ACTS AND WAR AMENDMENTS.

BY ALFRED HOLT STONE.¹

Since the formation of the Federal Union the most important and critical period of its history is the decade ending with the year 1870. During this period the struggle between the two

¹ Alfred Holt Stone was born in New Orleans, Louisiana, October 16, 1870. His maternal grandfather, Dr. Alfred C. Holt, was a delegate from Wilkinson county to the Mississippi Secession Convention, having been all his life an intense States Rights Democrat. After the War between the States, he removed to New Orleans and practiced his profession until his death. He served throughout the war. His father, the Hon. W. W. Stone, and his paternal grandfather lived in Missouri, both likewise spent four years in the Confederate service. In 1866 his father removed to Washington county, where he has since engaged in cotton planting. He has also been identified with local and State politics, and held the office of Auditor of Public Accounts of Mississippi from 1885 to 1895.

Until his sixteenth year the author of this monograph lived on a plantation. Here he began early in life to take a deep interest in the study of the Negro race and of cognate subjects. He was educated at the University of Mississippi, where, after taking special work in the literary department, he graduated in law in 1891. He engaged in the practice of his profession from 1891 to 1895, and in the fire insurance business from 1895 to 1899. In 1896 he was married to Miss Mary Bailey Ireys, of Greenville, Mississippi. He has been a cotton planter since 1893.

His duties as a planter having again brought him into close practical relations with the Negro race, he conceived the ambition of writing a history of that race upon an exhaustive scale. Since that time he has worked steadily towards the final accomplishment of this object, though the completion of his researches is not contemplated earlier than twelve or fifteen years from this date.

He is a member of the American Academy of Political and Social Science, the American Social Science Association, the Southern History Association, the American Economic Association, and the Mississippi Historical Society. He is a member of the committee of five, appointed at the Detroit meeting of the American Economic Association, to investigate and report upon the "Economic Condition of the American Negro." His name is on the programme of the next meeting of that association for an address on "The Negro in the Yazoo-Mississippi Delta."

From June, 1900, to June, 1901, he edited the *The Greenville Times*. He contributed an article to the second volume of the *Publications of the Mississippi Historical Society* (pp. 133-145), on "The Early Slave Laws of Mississippi."—EDITOR.

opposing schools of constitutional construction reached its bloody and costly termination; the contention between the theories of those who held this government to be a federation of sovereign States, and those who would clothe it with the full habit and attributes of nationality, sought the ultimate arbitrament of war; the American disciples of the English school of which Clarkson, Wilberforce and Channing were so long the chief exponents, witnessed the triumph over the organic law of the union of the "higher law" which they had proclaimed, and, in the violent destruction of an institution recognized by the Constitution, realized the full fruition of all their zealous labors; the spectacle was presented of the creation, by the mere fiat of law, of American citizens from African slaves, and in these revolutionary acts were laid the foundations of problems yet unsolved.

A comprehensive study of the events of this brief period involves the student in the consideration of many questions; but none of more profound importance than the conditions and circumstances surrounding the adoption of the constitutional amendments designed to affect the status of the former slave, and the congressional legislation enacted with reference to the status of his former master, as resultant upon the war.

Inseparably associated with this matter of the attitude assumed by the Federal Government towards the negro and the Southern white man, is the consideration of the position taken immediately succeeding the war by the white man of the South himself, with reference to the negro.

A thorough and accurate knowledge and understanding of the truth of this position—of the status of the negro, and his relation towards his former owner, as that owner would have willed it—are vitally essential to any proper apprehension of the history of this period. Chief among the causes contributing to the importance of this question are two facts: that congressional reconstruction was a mistake and a failure, and that the position of the dominant party of the period, with reference to the negro and the white man of the South, has been defended by reiterated appeals to the attitude alleged to have been assumed by the latter towards the former. This claim has been urged with singular persistence, by both apologists and eulogists, and it has come to be admitted as valid by a large class of writers, among which are some in whom one has a right to

expect more than a superficial acquaintance with the truth of so grave a proposition.

The foundation upon which has been erected this explanative and defensive superstructure, may be found in the legislation for freedmen enacted by the Southern States, during the brief period succeeding the cessation of hostilities in which they were permitted, to a certain extent, civil control of their domestic affairs; the period of presidential reconstruction. This legislation has been characterized as a blunder, by the mildest of its critics, and denounced as barbarous, and an attempt to perpetuate slavery, by the most extreme. The naked letter of the law, not infrequently garbled and distorted, has been paraded as a death-head of typically Southern creation, well calculated to justify the harshest clause of the reconstruction acts, proof conclusive that the Fourteenth and Fifteenth amendments were necessary to endow with viability the status bestowed upon the negro by the war. Without any fair consideration of the circumstances and conditions attending their enactment, without honest attempt to grasp or appreciate the real spirit and temper and intent of the men who framed them, the dead literalness of these statutes has been made to do more than thirty years of scarecrow duty to blunders whose criminality has been accentuated by the maliciousness of their inspiration.

Mississippi, in her legislation and general attitude, was typical of the South of the period, and in this attempted review of her constitution and statutes in reference to freedmen, the hope is indulged that a not unfair presentation may be made of the general subject in behalf of the South at large.

The acceptance of, and acquiescence in, accomplished facts, the making the best of the inevitable, has ever been a distinguishing and saving trait of the American people. It is this characteristic—national, it may be termed—which has brought confusion to those foreign critics of an earlier day who predicated a failure of our form of government, upon the assumption that the entire people could not be relied upon to accept the results of elections without revolution. It is this trait which differentiates the people of this government from those con-

stituting the petty, so-called republics of South and Central America. It was this trait which furnished an astonished and skeptical world with the spectacle of the acceptance—universally and without reserve—by the Southern people, of the disastrous verdict of four years of war, and made possible the disbanding of the Northern armies, without fear of Southern guerilla warfare. In this trait we see the explanation of the absolute surrender of the Southern armies, and their immediate resumption of peaceful pursuits—when once, in the judgment of their commanders, the moment of useless resistance had arrived; in the lack of this characteristic may be found a reasonable explanation of the senseless policy which impels the self-destructive tactics of the Boers.

In the failure of the political leaders of the successful party to the American Civil War to credit the defeated party with the exercise in good faith of this trait, may be read the fundamental error of this government's post bellum policy. That this failure to accord honesty of purpose to Southern men at that time was not due to a mere misconception of the truth, but was rather one of the essential elements in a gradually assumed attitude of punitive hostility and mistrust, the history of the course adopted by those leaders leaves scant room for doubt.

That the legislation of Mississippi, and other Southern States, was not enacted with any purpose of nullifying the accomplished emancipation of the negro, but that it was natural, abundantly justified by precedent, and sincerely deemed necessary to meet the anomalous conditions which demanded immediate treatment, are propositions which are established beyond controversy by a fair consideration of the attendant acts and circumstances, coupled with an investigation of the conduct of other peoples similarly situated.

In his treatise on the "principles of interpretation and construction in law and politics," Dr. Lieber says that to interpret the actions of men is "to designate the endeavor to arrive at their direct meaning, the motives from which they flowed."² In laying down his rules he takes occasion to observe that the "artifice to which revengeful tyranny so often resorts to obtain its objects without incurring the direct charge of guilt, * * * *

² *Hermeneutics*, 3d Edition (Hammond), p. 8.

or which we use when we are anxious to throw the guilt from our shoulders, * * * is generally, in its essence, founded upon literal or unfaithful interpretation.”³ He further enjoins upon us that “we should not studiously endeavor to make the worst of the words or actions of our neighbors. Plain justice demands that we should take them in the spirit in which they were meant, and that we should endeavor to find out that spirit; plain charity demands that we should give full weight to a possible good interpretation, which charity becomes but justice, considering that all of us stand in equal need of it.”⁴

In the misconstructions and perversions of the acts of Southern legislatures, by the radical political leaders of the time, may be found a persistent disregard of all such principles of political and legal hermeneutics as the German-American publicist has left us, which, after all, are but principles of common political morality.

Mr. Lincoln had regarded the restoration of the Southern States to their normal relations with the rest of the Union as a matter clearly within the scope of executive power. This, and the salient features of the plan of reconstruction which he had already inaugurated, are, fortunately, too well authenticated to justify an attempt at denial.

Mr. Johnson, with none of Lincoln’s prestige, none of his tact, and little of his ability, attempted to carry out his plan; but, in his conceit, enunciated it as his own, and thus lost for it the weight of his illustrious predecessor’s name.

Mr. Lincoln’s plan of reconstruction had contemplated the control of the domestic affairs of the Southern States—their legislation and elections—by their own citizens, such as chose to qualify under his proclamation, though he recognized the right of Congress to determine the question of the admission of individual members elected from States conforming to his scheme of restoration.

As adopted by Johnson, through Seward’s persuasive influence, the Louisiana plan, in its important features, was practically unchanged. The only fault that could be found with this plan was that it was too mild to suit the radical element in

³ Ibid, p. 86.

⁴ Ibid, pp. 140 and 141.

Congress and the North, who wanted something more than the mere accomplishment of the objects of the war.

Mr. Blaine himself admits that "as a theory it was perfect," and refers to it as a "process which was designed to be exhaustive, by fully restoring every connection existing under the Constitution between the States and the National Government."⁵ The most that he could do was to attempt to ridicule it; against it he never advanced a single argument.

The plan did not fail; it was abandoned by Congress as lacking in the elements of punishment and severity; though the substitution of another was sought to be justified upon other grounds, viz: The alleged conduct of the Southern constitutional and legislative assemblages held under the Presidential plan.

In putting into execution in Mississippi his plan of reconstruction, Mr. Johnson's initial act was the appointment of a provisional governor. This was done by a proclamation, of June 13th, 1865, and the appointee was Judge Wm. L. Sharkey. The proclamation⁶ recited that it should be his duty, "at the earliest practicable period, to prescribe such rules and regulations as may be necessary and proper for convening a convention composed of that portion of the people of said State who are loyal to the United States and no others, for the purpose of altering or amending the constitution thereof, and with authority to exercise within the limits of said State all the powers necessary and proper to enable such loyal people of the State of Mississippi to restore said State to its constitutional relations to the Federal Government." All members of the proposed convention must have taken the amnesty oath of May 29th, 1865, to render them eligible to their seats.

Pursuant to his instructions, Gov. Sharkey ordered an election for delegates to a convention, to convene on August 14th, 1865. This convention, as well as the Legislature which followed it, has been severely arraigned by hostile critics of the South.

In attempting to arrive at a just estimate of the opinion of these conventions, legislatures and laws, entertained by Republican leaders of the period, fairness has determined me in the

⁵ "Twenty Years of Congress," Vol. II., p. 78.

⁶ *Richardson's Messages and Papers*, Vol. VI., p. 314.

selection of Mr. Blaine as the best authority from which to quote.

In addition to having been far less radical and vindictive than many, we have the advantage of possessing his views as he prepared them for posterity, in the calmness and deliberation of the mellowing influence of twenty years' removal from the times of which he wrote.

An absolutely essential function in the exercise of "the powers necessary and proper" to restore the State "to its constitutional relations to the Federal Government," as constituting the sole purpose of the conventions ordered by Mr. Johnson, was the providing for the election of State officers and representatives in Congress. This duty was enjoined upon these conventions as clearly as words could imply it, yet Mr. Blaine ignores this mandate of the President's proclamation, and says, "the Reconstruction Conventions usurped legislative power, and hastily proceeded to order the election of representatives in Congress."⁷ He declares them to have been "in their membership and their organization, little else than consulting bodies of Confederate officers under the rank of brigadier general,"⁸ with their "official acts * * * inspired by a spirit of apparently irreconcilable hatred of the Union."⁹ His more general indictment he has expressed in these terms: "It seemed impossible at the time, it seems even more plainly impossible on a review of the facts after the lapse of years, that any body of reasonable men could behave with the ineffable folly that marked the proceedings of the Reconstruction Conventions in the South, and the still greater folly that governed the succeeding Legislatures of the lately rebellious States."¹⁰

In view of the wealth of maledictory criticism heaped for thirty-five years upon these assemblages, and as assisting somewhat in giving equitable interpretation to their acts, it is not out of place to consider briefly the personnel of the first reconstruction convention to assemble in the South; that of Mississippi, in August, 1865.

In his selection of a provisional governor for Mississippi,

⁷ *Twenty Years of Congress*, Vol. II., p. 87.

⁸ *Ibid.*

⁹ *Ibid.*, p. 89.

¹⁰ *Ibid.*, p. 86.

Mr. Johnson was singularly fortunate. Judge Sharkey had all his life been an ardent Whig, and had been unalterably opposed to secession, but no man ever enjoyed the supreme confidence of his fellow citizens more universally than he did that of Mississippians, without regard to political affiliations. We have no truer index to his character, his convictions, and the profoundest sentiments of his heart, than he has left us in the closing words of the proclamation which provided for this convention. Said he:

"The people of the South have just passed through a most terrible and disastrous revolution, in which they have signally failed to accomplish their purpose. Perhaps their success would have proved to be the greatest calamity that could have befallen the country, and the greatest calamity to the cause of civil liberty throughout the world. The true patriot finds his greatest enjoyment in the noble and pleasing reflection that his government is to live with an honored name, to shed its blessings on millions through future centuries. And as good governments are things of growth, improved by the lights of experience and often by revolutions, let us hope—sad and disastrous as this revolution has been—that the lessons it has taught us will not be destitute of value.

"The business of improving our government, if it should be found to need it, and of promoting reconciliation between the Northern and Southern people, are now prominent duties before us, so that we may hereafter live in the more secure and perfect enjoyment of the great patrimony left us by our fathers, and so that those who are to come after us may long enjoy in their fullest functions, the inestimable blessing of civil liberty, the best birthright and noblest inheritance of mankind."¹¹

So much for the man who convened this most important gathering. What of the convention itself?

As to political affiliation, a poll of the convention showed its membership to consist as follows: 51 Old Line Whigs, 9 "Whig and Union," 1 "Inveterate Whig," 2 "Coöperation Whigs," 3 "Whig and Opposed to Secession," 1 "Steadfast Whig," 2 "Henry Clay Whigs," 1 "Whig and Death Against the War." This shows a total of seventy Whigs. Of Democrats there were eighteen, of various shades, describing themselves as follows: 9 "Unqualified," 2 "Douglas," 1 "Jackson," 1 "States Rights," 1 "Secession," 2 "Union," 1 "Coöperation," 1 "Jeffersonian." There were nine members classed as "scattering," being made up of 5 "Conservatives," 1 "Coöperationist," 1 "Opposed to Universal Suffrage," 1 "Union," 1 "Opposed to the War." One member's political bias is not indicated.

¹¹ *Convention Journal*, p. 7.

One hundred delegates were elected to the convention, ninety-eight qualifying for service.¹²

It is of some interest to note that of this entire membership but seven had participated in the deliberations of the convention of 1861, and of these, six opposed and voted against the Ordinance of Secession. That historic gathering had consisted of eighty-four Democrats and twenty-five Whigs, as against eighteen Democrats and seventy Whigs in this.

By birth, six of its members were Northern men, two being natives of Pennsylvania, one of New York, one of Vermont, one of Connecticut and one of Maine. But eleven were native Mississippians.

Of the individual members of the convention it is unnecessary to speak, but we may recall among its leaders such names as J. S. Yerger, Amos R. Johnston, Will T. Martin, George L. Potter and William Yerger.

Profoundly impressed by the extreme gravity of the situation, and mindful of the injunctions of Gov. Sharkey, the people of the State had chosen for the dispatch of the serious business which confronted them, men not only of acknowledged conservatism, but of high character and unquestioned ability as well. Nothing could be more maliciously slanderous than the attempt, gone for so many years unchallenged, to write down this convention as a body of marplots and discontents, of "office-seeking rebels," bent only upon an effort to seek the technical evasion of "the consequences of their treason."

The real leaders of the convention, with one notable exception, had not been in the Confederate army, as was equally true of a large percentage of its membership. Of those who had been thus identified with the Confederacy there was not one whose course was not marked by dignity, prudence and a high sense of the responsibilities of his delicate and trying position. Fortunately for the truth of history, their record is an open book to such as care to read it.

Upon the organization of the convention, his colleagues chose as their president Judge Jacob Shall Yerger, a delegate from Washington county. Than this action, no truer earnest could have been given of the spirit and purpose with which the con-

¹² *Convention Journal*, Appendix.

vention approached its appointed tasks. Born in Pennsylvania, Judge Yerger had come South in early life, had adopted the law as his profession and in it had attained a degree of eminence which will associate his name for generations to come with all that is best and noblest in the annals of the Mississippi bar. In politics a Whig, he had been among the strongest opponents of secession, and, as a member of the convention, had thrown the weight of his influence and intellect in vain against the rising tide which ultimated in the extreme expression of the doctrine of State's rights.

It has been variously charged against this convention that it went too far; that it did not go far enough; that it should have abolished the State's constitution entirely; and that it should have extended full political and civil rights to the freedmen.

The only prescript before that body was the proclamation pursuant to which it had convened. This contained no reference to the future status of the negro, further than was contemplated in the act of so "altering or amending" the constitution of the State as to restore the latter to "its constitutional relations to the Federal Government." It was not asked in that proclamation, it was neither required nor expected, that Mississippi should do more than harmonize her organic law with the altered aspect of her domestic economy.

Much has been made of Mr. Johnson's suggestion to Governor Sharkey, that it might be expedient to extend the elective franchise to all freedmen "who can read the Constitution of the United States, and write their names, and also to those who own real estate valued at not less than two hundred and fifty dollars, and pay taxes thereon." To have done this would have been to do violence to its every conception of wisdom, propriety and statesmanship, and the convention did not even consider the suggestion. The closing paragraph of the President's letter to Governor Sharkey is a flashlight revealing for an instant a glimpse of radical purpose, even then assuming concrete form, which renders paltry and absurd the plea of later "black code" justification. Said he:

"I hope and trust that your convention will do this, and, as a consequence, the Radicals, who are wild upon negro franchise, will be completely foiled in their attempt to keep the Southern States from renewing their relations to the Union by not accepting their senators and representatives."

But little more than a year before Mr. Lincoln had made a somewhat similar suggestion to Governor Hahn, of Louisiana, but in a most careful and tentative manner. "Now," said he, "you are about to have a convention which among other things will probably define the elective franchise. I barely suggest," note the tone, "for your private consideration, whether some of the colored people may not be let in, as for instance, the very intelligent, and especially those who have fought gallantly in our ranks." Yet the members of this convention held no other views upon the subject than such as had been enunciated and elaborated again and again, by Mr. Lincoln himself. In the debate with Douglas, at Charleston, Ill., which occurred on the 18th of September, 1858, Mr. Lincoln had most clearly defined his attitude, as follows: "I will say then that I am not, nor ever have been, in favor of bringing about, *in any way*, the social and political equality of the white and black races," [here, we are told in the report of the speech, he met with a response of loud applause,]—"that I am not, nor ever have been, *in favor of making voters or jurors of negroes*, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to this that there is a physical difference between the white and black races which, I believe, *will forever forbid the two races living together on terms of social and political equality*. And, inasmuch as they cannot so live, while they do remain together, there must be the position of superior and inferior, and I, as much as any other man, am in favor of having the superior position assigned to the white race."¹³ And yet this convention of Southern men, amid the most trying surroundings that ever confronted a similar body, is taken to task for the crime of merely making Mr. Lincoln's philosophy its own.

The only obligation assumed by the men who composed the convention of 1865, in any way touching the negro, beyond the convening proclamation, was that involved in the undertaking of the amnesty oath; to "abide by and faithfully support all laws and proclamations which have been made with reference to the emancipation of slaves." The proceedings of that body bear cumulative testimony to the absolute acceptance by the people of Mississippi of the unalterable and existent fact that

¹³ The Italics are mine.

the negro was no longer a slave. There was discussion of the means whereby this freedom had been wrought; of its bearing upon the question of possible compensation; of the precise terms in which the recognition of existing conditions should be couched; of the grounds upon which that recognition should be technically based. But all this was academic.

There was much discussion of the probable effect of the negro's new status upon himself, upon the white population, and upon the State in her efforts at repairing her wasted fortunes; of the best means of meeting the situation; of how to secure what was best for all, for the negro no less than for the white man. All this was practical.

On the first proposition to elicit discussion, no contrariety of opinion was exhibited. It was that the proceedings of the convention be stenographically reported and it is eminently proper that the remarks of the delegate who had attained the highest rank in the Confederate service, of such of the members as had taken active part in the war, be made a portion of this record. The speech is that of General William T. Martin, of Adams county. He said:

"It is important for us not only that the constitution which we shall adopt shall show the spirit of our people, but it is also important to show by the debates the spirit in which these propositions were discussed. That constitution will go out to the world as the action of a majority of this convention, and it is necessary to show, as these debates will—by giving in full the expressions uttered on the spur of the moment, of those representing the people of Mississippi—the feeling in this State. It is also necessary and proper that we should show, as was suggested by the gentleman preceding me, that it is a mistake to suppose that in surrendering, and as a people giving our paroles, we merely did it to gain time; and that there was still a disposition among the people of the State of Mississippi to carry on the war against the Northern States—against the Federal Government. I think it also important, in the present crisis, that whatever can, should be done to assure the people of the North and especially that portion of the Northern people disposed to be conservative and consider that we have some rights at least in the South, to show them, and to show the Government of the United States, also, that having first tried the logic of the schools, and having failed in that, and having then resorted to the sterner logic of arms, and having failed in that also, we are now honestly disposed to return to our allegiance, and to make out of the disasters that have befallen us the best we can. I think there is no surer and better way of showing the conservatives of the North, and the Government of the United States, that we are in earnest and that we are sincere than by publishing the debates of this convention.

"There is no other way in which we can ascertain, with any certainty, the views of the people of this State, whose opinions are supposed to be represented here; and I desire that in some permanent manner these may go abroad in the country, to show our action, and to show that we intend to deal fairly in this matter; and that we may, for many

reasons satisfy them that we are not, while we are preparing to return in form to our allegiance, entertaining opinions and feelings hostile to the government of the country.”¹⁴

The committee on “alterations and amendments” suggested the “abolishing and striking out” of all sections of the constitution of 1832 having reference to “slaves,” and reported an amendment in the following terms:

“That neither slavery nor involuntary servitude, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted, shall hereafter exist in this State; and the Legislature at its next session, and thereafter as the public welfare may require, shall provide by law for the protection of the person and property of the Freedmen of the State, and guard them and the State against any evils that may arise from their sudden emancipation.”

This amendment, embodying the precise language subsequently incorporated in the Federal Constitution as Article XIII., was adopted; the only modification being the striking out of the opening word, “That,” and the substitution of the following: “The institution of slavery having been destroyed in the State of Mississippi.”

The substitutes offered for this amendment ranged from a preamble reciting the fact of the war, and acknowledging specifically the constitutionality of the emancipation proclamation, to a mere declaration that slavery had been destroyed. One took the form of a conditional agreement upon the part of the State, to regard the negro as free until the constitutionality of Mr. Lincoln’s proclamation should be passed upon by the court of last resort; while one actually proposed to make the amendment stand “suspended and inoperative” until the accomplishment of the restoration of the *status quo ante bellum*, as regarded the State’s Federal relations.

It is worthy of comment that the authors of these propositions were Whigs of the old school, had been bitterly opposed to secession, and advocated consistently Mr. Lincoln’s theory of the Federal compact and the inability of a State to withdraw from the Union. One of them was a no less distinguished delegate than Judge George L. Potter, a native of Connecticut, who defined his politics as “Whig and Union.” Contemplated

¹⁴ Convention *Journal*, pp. 26 & 27. The words of these men constitute the ablest vindication of themselves and their times; therefore I shall accord them the privilege of once more speaking at length in their own behalf.

through the perspective of thirty-six years, with the details of the reconstruction program, as finally developed and applied, a matter of historical record before us, it is at first difficult to realize that such proposals could have emanated from such men. Yet the very ingenuousness of their arguments furnishes the amplest proof of their frankness and good faith. Judge Potter's theory being that the State could not leave the Union, and had never been out of it, he would not listen to the arguments of expediency, touching the matter of her "re"-admission. Defining his view of the existing legal status of Mississippi, he said that she was "still a State of the Union, with all her rights and privileges under the Constitution, precisely as she stood in the day when she was admitted, in the year 1817." He said:

"She stands under the Constitution the co-equal of every other State in this American Union. So regarding her, and feeling myself under special, solemn obligations to regard and support the Constitution of the United States—that obligation being higher and above all others—I am not disposed to submit to any conditions imposed upon this State, as conditions precedent to the admission of her Senators and Representatives into the National Congress, *that are not authorized by the National Constitution* * * * I admit, sir, there is a party at the North, and I think it probable there is a large party in the Federal Congress, who will insist upon imposing upon the State of Mississippi, through her delegation, illegal restrictions.... Another of these (restrictive conditions) is, that the population lately occupying the position of slaves in this State, shall be raised, by State action, and that immediately, to the position and dignity of equals with the white population * * * It is a great question of party with them—their continuance in power as a party,..... If the party in power desires to impose this condition of free suffrage upon us, we can not avoid it by any submission short of that. If the party in power in Congress is a Constitutional party—if it regards the right of the States to regulate their own domestic concerns in their own way why, then, it will admit our delegation as in times of old. What, then, do we gain, on the question of expediency, by the policy suggested by gentlemen on the other side."

Keen as was Judge Potter's apprehension of the real merits of the question, as regarded the probable action of the radical element in Congress, he yet permitted the hard, practical argument of actual conditions to be overshadowed in his mind by his devotion to the abstractions of constitutional rights.

His ideas were not those of the convention; results showed that clearly enough. As a body, it was willing to waive abstract questions, to make any reasonable concession for the blessings of peace and the restoration of civil government. The

¹⁵ Convention Journal, pp. 56, et seq.

true sentiments of the convention, as attested by the final adoption of the reported amendment, were voiced in the speech of Wm. Yerger, a delegate from the county of Hinds.

In common with most of the leaders of the State, immediately succeeding the war, such men as Sharkey, Potter, Humphreys, Amos R. Johnston and Judge J. S. Yerger, Wm. Yerger was a Whig and opposed to secession. He had probably enjoyed greater opportunities for learning the actual state of public opinion among radical Republicans, with reference to the future status of the negro, than any other member of the convention. He had been one of the commission appointed by Governor Clarke to seek a personal expression of Mr. Johnson's views as to the proper course for the State to pursue to bring about normal relations with the general government. On his trip to Washington he had availed himself of every opportunity of ascertaining the real temper of the people and politicians relative to the negro, and had formed the eminently correct opinions which he expressed to his colleagues. He said:

"The course of argument of those who advocate this substitute strikes me with astonishment. They seem actually to ignore the events of the past five years—to ignore the present condition of the people of the State, and in some dreamy, abstract revery, to indulge in visions and fancies of Constitutional law and Constitutional government, which they think ought to prevail, but which men of practical commonsense, viewing facts—stubborn facts, as they are—well know are not attainable at this time by the people of this county."

Referring to his interview with President Johnson, he stated that the President had advised the commissioners that the proposed convention should formally, and at once, abolish slavery by constitutional amendment. He then continued as follows:

"There was no order, there was no dictation, that we should do this, but there was a distinct admonition that unless it was so done, so far as the Executive was concerned, he would not consent to the restoration of our members in Congress, and that we would not obtain the strength of the administration in support of our restoration; and we well knew that without the strength of that right arm we would be totally powerless to resist the overwhelming tide of radical fanaticism *which at that time* was clamoring, not for the abolition of slavery, but for *universal suffrage and the social equality of the negro.*"

We have here, again, the testimony of one who knew whereof he spoke, that the "tide of radical fanaticism" was even then rising to overwhelm the South with "universal suffrage and the social equality of the negro;" that it was even then—before the assembling of a single convention or legislature whose actions

were to be subsequently alleged as a provoking cause—clamoring for these things.

Stating that on his Washington trip he had made it his business to ascertain Northern public sentiment as to the negro, and declaring that he found that there were no two opinions as to the fact of slavery being dead forever, he continued:

“ * * but I did find, Mr. President, that there were two parties at the North, parties organized, not in reference to the institution of slavery, but in reference to the position which the Southern States should have under the Government of the United States, and in reference to the place which the negro should hold under the Constitution and laws. Upon this question two parties were arrayed, and were preparing for the struggle which is now imminent. Upon one side the Chief Justice of the United States—supported by all the ultra radicals—though I do not believe anything like a majority of the people—but strong in numbers—powerful in intellect—and vigorous in prosecuting every plan which their fanaticism, or their opinions of right and Constitutional law, suggest to their fertile and scheming brains. That party insists that the Southern people, having withdrawn from the Government of the United States, by an act of secession—although unconstitutional and void as to the government—have estopped themselves from insisting upon a return to the government, as States, except upon such terms as may be accorded to them by the parties who have triumphed in this contest. They insist, that for a period of time, indefinite in its length, the Southern States shall be kept in territorial organization—that they shall remain under martial law—that they shall remain under the control of the Federal Government and Federal bayonets, until the scheme of universal suffrage which these gentlemen have sprung upon the country, shall have ripened into perfection; then, having thus carried into effect the scheme, they will permit a convention in the States to be assembled—an organization of State authority to take place, and a return, as states, into the Union; but not as President Johnson proposes we shall now return; but with members of Congress composed of white and black delegates, with equal suffrage—with equal civil rights—with equal political rights—with equal social standing on the part of the negro. That is their platform—and their fixed determination is, if they have the power, to carry it into effect.”¹⁸

We have here a statement of the program in Stevens' first bill, and practically as finally forced through Congress, of the extremists, theorists, pseudo-philanthropists and negrophilists, as clear as it could possibly have been made had its discerning author been reviewing the situation after the fact, instead of exhibiting a declaration of purpose upon the part of those who have so persistently insisted that their action was the outgrowth of events in the South,—the response of the nation to the acts of Southern Legislatures. The fact is too plain that, as Judge Potter had declared, it was with the radicals “a great question of party power;” it is too patent to be denied, save by the most

¹⁸ *Convention Journal*, pp. 140, *et seq.*

purblind partisanship, and at the expense of historical truth, that even when Judge Potter spoke, and as Judge Yerger foretold, it had already been decreed that the South must pass under the yoke—that she must sit for a season in sackcloth and ashes, must drink of the gall proffered in the iron chalice of the conqueror; and this regardless of what she did or failed to do, whether she brought forth “fruits meet for repentance” or held a stubborn, wayward course.

And yet Mr. Blaine tells the world that the South herself forced the ballot into the ex-slave’s hand.

Judge Yerger urged the adoption of the amendment, and counselled the convention to discharge its duty as it saw it, leaving to posterity the verdict upon its course.

The vote upon the adoption of the section showed eighty-seven for the amendment, only eleven being cast against it.¹⁷

Thus had Mississippi written the opening chapter of the record of her people upon the first and gravest problem submitted to them as the legacy of war.

In his address to the convention upon its adjournment, Judge J. S. Yerger, its president, spoke as follows:

“There has been no assemblage in the State of Mississippi more distinguished for its urbanity, for its intelligence, for its patriotism, and for its singleness of purpose to act for the public good and the prosperity of the State, than this convention. No heated partizan feeling has been exhibited; no unbecoming recurrence to past differences of opinion has been permitted to enter into the discussions and deliberations of this body; but we have met together in a spirit of harmony and forbearance—as I believe and trust in God this great people will come together again—and all together, as brothers of a common land and children of our common inheritance—with a determined purpose to cherish to the last day of our generation, and hand down to our children, to protect and cherish forever and forever, this great form of public liberty—the Constitution and Union of these States. * * * * I was here, gentlemen, to witness the State of Mississippi, in the hour of the delusion of her people, lay her hand to the destruction of the fabric of the constitution and the Union of these States. I was a member of that convention; I raised my voice against what I believed to be sacrilegious wrong. It was in vain; * * * I could but bow my head and weep o’er the appalling ruin that was spread before me, threatening to overwhelm the State.

“I have again met the representatives of the sovereignty of the people of Mississippi, in this convention; come together that they may, if possible restore Mississippi to her proper and constitutional relations with the United States, and aid in the restoration of that beautiful form of government that they had imperilled—that great government whose protecting influence was as a shield over this whole land, and under whose kindly rule we had been protected in peace, prosperity and happiness. God grant, gentlemen, that your deliberations and example

¹⁷ *Convention Journal*, p. 165.

may aid in the consummation of this result. In my conscience I do believe that such will be their influence, and that you may return to your constituency with the comforting conviction and consciousness that you have done much to restore, not only peace, but peace with harmony and prosperity, as extended as this republic."¹⁸

Thus deliberated and thus adjourned the first of those conventions declared, as we have seen, to have been "little else than consulting bodies of Confederate officers," their proceedings marked by "ineffable folly," their acts inspired by a spirit of "irreconcilable hatred of the Union." Thus its members separated, conscious of the rectitude of their purpose, honest in the acceptance of the conditions confronting them, cherishing the vain assurance that duty faithfully performed was sure of its reward, and in their ears the comforting reflection of their president, "you have done much to restore, not only peace, but peace with harmony and prosperity."

Pursuant to a convention ordinance providing for its election and assembling, the first Mississippi Legislature after the war met on the third Monday of October, 1865. In the selection of their governor and legislators, at the election on the second of that month, the people of the State had exhibited the same high regard for the qualities of character and conservatism which had marked their choice of delegates to the Constitutional Convention. Governor Humphreys had been a life-long Whig, and was an opponent of secession. More than this, he was not a politician, was a man of large experience, and thoroughly familiar, through a lifetime spent among them, with the confusing and contradictory traits that enter into the composition of the negro character.

To a large degree, this was true of the entire legislative membership; they had all spent their lives in actual contact with the negro. In addition to this essential qualification for the peculiar duties before them, they possessed, as indeed did the entire State, a profound sense of the gravity of their undertaking. The personnel of the legislative committees, the nature of their deliberations, the tone of their resolutions and reports, all furnish ample evidence of this, even to one unfamiliar with the names of the leaders of that body.

¹⁸ *Convention Journal*, pp. 275, *et seq.*

Examining the conditions under which this Legislature proceeded to the discharge of its duties—the manner of doing which has been so bitterly denounced—we find a most anomalous and trying state of affairs. The people of the State found themselves confronted with many problems, as the result of the revolutionary changes which had been wrought in their domestic affairs, but among them all they quickly realized the transcending importance of the question of how best to render effective the labor of the emancipated slave.

Down to that time the emancipation of every large body of negroes had had as its invariable concomitant some plan for the utilization and control of their labor as freedmen. The discussion of the problem of how to secure this result had been the rock upon which the abolitionists of England and France had seen go down in wreck more than one scheme of emancipation, before their efforts were crowned with success. Only in the South was the formulation of such a plan not an incident to the act of emancipation, but a necessity consequent upon it, and that under circumstances which rendered the undertaking an hundred-fold more difficult than it had ever been elsewhere.

No one had a keener appreciation of these difficulties than Governor Humphreys, and every recommendation to the Legislature bears within it the evidence of the earnest and patient thought which he brought to their consideration. He had been a large planter and slave owner himself, and he was profoundly impressed with the proportions of this labor problem, for none apprehended better than he the vast extent of its ramifications.

Not only was it true that the very life of the State depended upon the labor of the negro, but it was no less an oppressive truth that upon it also hinged the existence of the negro himself. Upon making that labor effective depended every whit as much for the black as for the white man; for just in proportion to his idleness would be his pauperism, his disease, his criminality and his death. To the overshadowing importance of this question the governor directed his first attention.

Touching, in his message, upon such matters as his well-known attitude on the question of secession, and solemnly affirming his abundant knowledge—from “the unvarying professions that spring from private and public sources”—of the sincerity and honesty of his people, he addressed himself to the

consideration of affairs uppermost in the minds of all. In speaking of the duties before the State, he said:

"The sudden emancipation of her slaves has devolved upon her the highest responsibilities and duties. Several hundred thousand of the negro race, unfitted for political equality with the white race, have been turned loose upon society; and in the guardianship she may assume over this race, she must deal justly with them, and protect them in all their rights of person and prosperity. The highest degree of elevation in the scale of civilization to which they are capable, morally and intellectually, must be secured to them by their education and religious training; but they can not be admitted to political or social equality with the white race. [Here again was a repetition of Lincoln's solemnly asserted convictions.] It is due to ourselves—to the white immigrant invited to our shores—and it should never be forgotten—that ours is and ever shall be a government of white men. The purity and progress of both races require that caste must be maintained, and intermarriage between the races be forbidden. * * * To work is the law of God, and the only certain protection against the pauperism and crime of both races. The negro is peculiarly adapted to the cultivation of the great staples of the South. He should be encouraged to engage at once in their production, by assurances of protection against the avarice, cupidity and injustice of his employer. He is free to choose his own labor and make his own bargain. But he should be *required* to choose *some* employment that will insure the maintenance of himself and family.

"On the other hand, the employer must be assured that the labor contracted for will be specifically performed."¹⁹ The cultivation of the great staples of the South requires continuous labor from January to January. The planter can not venture upon their cultivation unless the laborer is compelled to comply with his contract,—remaining and performing his proper amount of labor, day after day, and week after week through the whole year; and if he attempt to escape he should be returned to his employer, and forced to work until the time for which he has contracted has expired. By such a system of labor the welfare and happiness of the African may be secured, the agricultural and commercial prosperity of the State sustained, and our homes again become the abode of plenty."²⁰

In addition to the message of Governor Humphreys, the Legislature had before it the report and suggestions of the committee appointed by the convention. The amendment formally recognizing the negroes as free, also contained a mandatory clause requiring the Legislature, at its next and subsequent sessions, to "provide by law for the protection and security of the person and property of the Freedmen of the State, and guard them and the State against any evils that may arise from their sudden emancipation." It was deemed wise by the Convention to delegate to a committee the work of preparing a draft of laws for submission to the Legislature. This was accordingly done, under an ordinance reciting the scope of the committee's

¹⁹ Note the words of General Banks, *infra*.

²⁰ House *Journal*, pp. 16, *et seq.*

duties to be, "to prepare and report to the next Legislature, for its consideration and action, such laws and changes in existing laws of this State, as to said committee may seem expedient in view of the amendments to the Constitution made by this Convention."

This committee consisted of three men, and their report was as comprehensive as the commission given by the convention. As their suggestions, such as were acted upon favorably, are, in common with the general spirit of Governor Humphreys' recommendations, to be found incorporated in the acts we are to review, it is not necessary to discuss the report in this place. In conformity to my purpose of showing from their own utterances the spirit and temper of the men who were associated with this legislation, I shall, however, quote from the observations submitted with their suggestions. The report reads:

"They have proceeded rather upon their own observation and knowledge of the nature, * * habits, capacity, conditions * * and necessities of the two races, * * * * * than upon a theory or system that might have been wise or judicious * * * under a wholly different condition.

"Your committee have thought it best to deny to the freedmen some * * * * * privileges, for the present, not from any apprehension or sense of danger to the white population, but from the clear conviction that such denial and restriction will be for their present and ultimate good; in the suppression of vice, idleness, vagrancy, * * * * * the promotion of industry, and the diminution of crime and its * * consequences among themselves, in their juvenile liberty and ignorance. * * * * * Their labors propose to protect the persons, property, labor, wages and contracts of the freedmen more promptly, fully and with more certainty than was ever before given to the whites of this State, and to secure them against * * frauds * and impositions."²¹

One of the earliest acts of the Legislature was the appointment of a "joint select committee," charged with the duty of reporting "such laws as may seem expedient 'for the protection and security of the persons and property of the Freedmen of this State,' including their social relations toward each other—that of husband and wife and parent and child; and what laws are necessary to make their labor available to the agricultural interests of the State, and to protect the State from the support of minors, vagrants and paupers." To this committee were appointed the ablest and most conservative members of the two

²¹ Senate Journal, Appendix, pp. 14, *et seq.*

houses, and to it were referred all suggestions bearing upon the proposed legislation.

Through all the many suggestions made by members, and the recommendations from the governor, as likewise through the discussions which they provoked, runs the same fixed purpose, clear and undisguised, to grant to the freedman such measure of privileges as he was thought justly entitled to, and capable at that time of appreciating and exercising without abuse, and to place such restrictions about him as to compel him to earn a support for himself and those dependent upon him.

The men who had undertaken this task were not theorists, nor had they gleaned from books the peculiar knowledge which they brought to bear upon the labor which confronted them.

The war had been brought to a close, and the complete and final manumission of the negro been generally recognized only about six months when they entered upon the duty of framing "expedient and proper" legislation for a people which had been in bondage for two centuries and a half. With this people—their habits, when unrestrained, their natural bent of mind, their capacity for labor, under proper supervision, their ingrained tendency to idleness and shiftlessness—these men were familiar through years of intimate personal contact and observation. They knew the negro to be docile, tractable, and obedient to command; they knew him to be abundantly able, physically, to provide from the soil a return for his own labor and upon the investment of its owner; they knew, also, that his own wants were easily satisfied, and that, when left to his own devices, he would labor, with neither thought nor care for his future needs, only long enough to meagerly supply them; they knew his roving tendency; they knew that his agreement to perform a given work was valueless without some means of its enforcement; they knew that, with the negro, as with other races, idleness begets crime, and that the negro was by nature prone to idleness.

They had seen the negro as the realization of his new estate broke full upon his mind; they had witnessed the occasional instances of his remaining on his former master's land, apparently but little eager to test his new found freedom in a departure from the providing care which had never failed him in sickness or in age; they had witnessed also the thousands of

instances of the hand turned back from the half-run furrow—the plow left to rust where freedom found it; they had seen the plenty of the “quarters” deserted for the hunger and squalor of the purlieus of the town; had witnessed the escape from the tyranny of the plantation bell’s morning call to labor and to food, to the urban privileges of idleness and want; they had seen the thousands crowded round the army camps, subsisting upon government’s free rations, in dumb expectancy of they knew not what; they had seen the depravity and demoralization and viciousness which even a brief period of a misunderstood condition had engendered, under the fostering care of the mischief-making counsels of malice and of hate.

Realizing that the immediate present demanded the application of practical methods to the treatment of a condition fraught with the gravest possibilities, their first concern was with the necessity of preventing a total lapse of the labor of the State—upon which all, including the labor itself, depended—into a general condition of “vagrancy and pauperism, and their inevitable concomitants, crime and misery,” the initial steps to which were even then being rapidly taken. To this end—the saving of the negro from himself and his new-found friends—there was but one means, that indicated by St. Paul more than eighteen hundred years before, when he said, “If any will not work, neither let him eat,”—compulsory labor; its compensation assured, indeed, but compulsory, none the less. This was the vital, the paramount, consideration in that juncture of this people’s affairs; the abstract, ethical question of determining with just what formal garments their freedom should be clothed, was of infinitely less practical moment to either the black man or the white.

After the Legislature had been in session about thirty days, Governor Humphreys sent to it a special message on the subject of legislation for the freedmen, which is another excellent exhibit of existing conditions. He had long favored the admission to the courts of negro testimony, and took occasion to again urge his views on the subject. Strongly as he favored this, however, he took the same practical view that was held by the joint committee. He spoke as follows:

“The question of admitting negro testimony for the protection of their person or property sinks into insignificance by the side of the other great question of guarding them and the State against the evils

that may arise from their sudden emancipation. What are the evils that have already arisen, * * * * ? The answer is patent to all. Vagrancy and pauperism, and their inevitable concomitants, crime and misery, hang like a dark pall over our * * * now desolated and ruined land.

"To the guardian care of the Freedmen's Bureau have been entrusted the emancipated slaves. The civil law and the white man, outside the Bureau, have been deprived of all jurisdiction over them. Look around you and see the result. Idleness and vagrancy have been the rule. Our rich and productive fields have been deserted for the filthy garrets and sickly cellars of our towns and cities. From producers they are converted into consumers, and, as winter approaches, their only salvation from starvation and want is Federal rations, plunder and pillage."²²

The prime cause of trouble, he stated, lay in the administration of the Freedmen's Bureau.

The labors of the Legislature eventuated in the enactment of four statutes having particular reference to freedmen. The general effect of these was to confer upon them standing in all the courts of the State; to extend their competency as witnesses to civil cases where party to a suit with either freedmen or white men, and to criminal cases wherein a crime was charged to have been committed by a white person against a negro; to confer equal personal property rights with white persons, but not permitting them to own, rent or lease land; to permit marriages among them under same laws as applied to white persons, but not permitting intermarriage with the latter; to legalize all slave marriages, and legitimate the issue of such unions; to prevent their riding in same railway coaches with white people; to confer the right to charge white persons by affidavit with criminal offenses against negroes, and to have the same process and action thereon as a white person; to provide a system of compulsory labor.²³

In considering these laws it should be borne in mind that they were experimental in their nature, intended for immediate application to pressing conditions, and that the convention committee's report, and legislative discussion of them, show clearly their temporary character. They were, in short, designed to meet conditions the speedy passing of which their framers most devoutly prayed for. Their criticism as an attempt to circumvent emancipation, and work the practical and permanent re-enslavement of the negro, is so shallow, under any fair study of

²² Senate Journal, Appendix, p. 45.

²³ Laws of 1865, Chapters 4-5-6 and 23, and pp. 71 and 194.

them, as to provoke one to marvel at the widespread credence given such opinions.

In accomplishing its first object, the prevention of idleness and pauperism by means of compulsory labor, the Legislature deemed it wisest to temporarily provide a form of paternalism, for such freedmen as might engage in agriculture, "by the year," allowing an election by them between this and "irregular, or job work." It was accordingly enacted that every freedman should have, by the second Monday of January, 1866, and annually thereafter, "a lawful home or employment." If he elected to do "job work," he was required to have a license, in evidence of his occupation, from the mayor, if resident in a town, and from a member of the Board of Police, if living in the country. If he should choose to do plantation, or other work, requiring more than one month's service, his contract for such work must have been in writing, and duplicate, the freedman and employer each having a copy.

To be binding upon him this contract was required to be attested and read to him by a beat, city or county officer, or by two disinterested white persons of the county wherein the labor was to be performed.²⁴

To insure to the employer the performance of the stipulated service, he was entitled, upon affidavit before a justice of the peace to the fact of his legal employment of a freedman, and of the latter's illegal desertion, to the issuance of a warrant for the return of such freedman to his service; the freedman being entitled to a summary trial, before a justice of the peace or member of the Board of Police, of the facts alleged by the employer.²⁵

For the enforcement of the act relative to "lawful homes or employment" it was provided that any freedman who failed to comply with its requirements should be deemed a vagrant, and, on conviction, be fined not exceeding fifty dollars and imprisoned, in "the discretion of the court," not exceeding ten days.²⁶ Whenever a fine was imposed on a freedman he was allowed five days in which to pay it. Upon his failure to do so, it was made the duty of the sheriff to hire him out to the person

²⁴ *Laws of 1865*, p. 83.

²⁵ *Laws of 1865*, p. 84.

²⁶ *Ibid*, p. 91.

who would pay such fine in consideration of the shortest period of service by the prisoner. In all cases the freedman was guaranteed the right of appeal.

With a view to the care of freedman paupers and orphans, and to prevent their becoming a charge upon the state, two laws were enacted. One of these declared the existence of the same duty among freedmen to provide for their indigent as obtained among white people, and for such purposes required the county Boards of Police to levy a capitation tax of one dollar on each freedman in the county between the ages of eighteen and sixty. The tax thus levied was to provide in the county treasury a fund known as the "Freedman's Pauper Fund," to be disbursed by the commissioners of the poor for the benefit of indigent freedmen.²⁷ The other act devolved upon the probate court of each county the duty of apprenticing all freedmen under the age of eighteen who were orphans, or whose parents could, or would, not support them. It was directed that the court should have "a particular care to the interest of the minor," and that it should "be fully satisfied" that the person to whom the minor was apprenticed was "a proper and suitable person." When these requirements were met, the preference was to be given to the former owner of such minor.

It is a singular perversion of fact to charge that this relation was unprotected against abuse, and the apprentice subject to the whims of the master. Even upon this word "master"—used among English speaking people since the law was written in books, to denominate one party to every apprenticeship—have all the changes most clamorously been rung. The law made it mandatory upon the court to exact of the master a bond obligating him to furnish his apprentice with good and sufficient food and clothing, with proper medical attention, to treat him humanely, and, if under fifteen years of age, to teach him to read and write. In the event of the desertion of an apprentice the party entitled to his service could bring him before a justice of the peace and have him duly remanded. The apprentice was entitled to an appeal to the county court, which, if it considered the cause of the desertion to have been good, could discharge him from the indenture and enter in his favor a judgment

²⁷ *Laws of 1865*, p. 92.

against the master for as much as one hundred dollars. The master was allowed, in the control of the apprentice, to inflict "such moderate corporeal chastisement as a father or guardian is allowed to inflict on his or her child, or ward, at common law: provided, that in no case shall cruel or inhuman punishment be inflicted." The privilege of apprenticing their minor children was under this act extended to freedmen parents.²⁸

Certain privileges were denied freedmen, and certain punishments affixed to certain acts when committed by them. They were not permitted to keep or carry firearms, except under license granted them in the discretion of the Board of Police, without cost. It was also enacted that "any freedman committing riots, routs, affrays, trespasses, malicious mischief, cruel treatment to animals, seditious speeches, insulting gestures, language or acts, assaults on any person, disturbances of the peace, exercising the functions of a minister of the gospel without a license from some regularly organized church, vending spirituous or intoxicating liquors," should be fined not less than ten, nor more than one hundred dollars, and might be imprisoned, in the court's discretion, not exceeding thirty days. The laws touching "crimes and misdemeanors committed by slaves, free negroes and mulattoes" were "declared to be in full force and effect against freedmen, free negroes and mulattoes," except as "the mode and manner of trial and punishment" had been altered by law.²⁹

Such were Mississippi's first statutes in reference to freedmen—the Draconian code which called down upon her devoted head the "righteous wrath" of "outraged Northern sentiment."

With very few exceptions the discussion by Northern political writers of the reconstruction acts and the fourteenth and fifteenth amendments have taken the form of a defense—based upon the alleged spirit of the Southern conventions and legislatures of 1865. The real motives behind these acts of the dominant party—a desire for punishment and vengeance, an effort to perpetuate its power through a large and reliable accession of suffragists, and the emotional promptings of senti-

²⁸ *Laws of 1865*, pp. 86, *et seq.*

²⁹ *Laws of 1865*, pp. 165, *et seq.*

mental philanthropy—have occasionally been proclaimed. Mr. Blaine, as was most natural, in his partisan effort to justify the radical action in which he aided and abetted, upon the ground of a necessity forced upon his party by the South, adopted the favorite attitude, though in doing so he has led himself into some singular inconsistencies.

He says, in discussing the rights and benefits which, in his opinion, should have been conferred instantly upon the freedmen:

"In view of these facts the course of the newly organized Legislatures was watched with deep and jealous interest. It was in their power to repair, in large degree, the blunders of policy—nay, the crimes against human rights—which the Reconstruction Conventions had abetted if not committed. The membership of the Legislatures in all the States was composed wholly of those who, either in the military or civil service, had aided the Rebellion. If in such an organization a spirit of moderation and justice should be shown, if consideration should be exhibited for the negro, even so far as to assure to him the inherent rights of human nature, a deep impression would be made on the conscience and the public opinion of the North. * * * *

"As soon as the Southern Legislatures assembled, it was made evident that their members disregarded, and even derided, the opinion of those who had conquered the Rebellion and held control of the Congress of the United States. If the Southern men had intended, as their one special and desirable aim, to inflame the public opinion of the North against them, they would have proceeded precisely as they did. They treated the negro, according to a vicious phrase which had at one time wide currency, 'as possessing no rights which a white man was bound to respect.' Assent to the Thirteenth Amendment to the Constitution by the Southern States was but a gross deception so long as they accompanied it with legislation which practically deprived the negro of every trace of liberty. * * * * The truth was, that his liberty was merely of form and not of fact, and the slavery which was abolished by the organic law of a Nation was now to be revived by the enactments of a State."³⁰

He dwells, too, upon the legal terms, "master," "mistress," and "servant," employed in these statutes, and declares that "under the operation of the laws a form of servitude was re-established, more heartless and more cruel than the slavery which had been abolished." For a full-fledged abolitionist, this is quite a concession—that anything could be "more heartless and more cruel" than the inhuman institution peculiar to the South.

Discussing Mississippi's "black code," he adjudges it "bad enough to stir the indignation of every lover of justice." "The Legislature," he proceeds, "had enacted a law that 'if the laborer shall quit the service of the employer before the expiration of

³⁰ *Twenty Years of Congress*, Vol. II., pp. 93, *et seq.*

his term of service without just cause, he shall forfeit his wages for that year up to the time of quitting.’”

This provision seems to have impressed itself upon our amiable commentator as peculiarly heinous, which evidences his characteristically studied effort at doing the thing against which, as we have seen, Lieber enjoins—endeavoring to make the worst of the words and actions of one’s neighbors. It had not even been thought necessary to specially advert to this clause,³¹ inasmuch as the most that could be made of it was that it merely worked a forfeiture of the consideration of a contract for a failure to make good the contract’s stipulations—something, it may be assumed, not wholly unknown, even to the highly moral state of Maine.

He quotes the clause of the act relative to yearly contracts for plantation work which provides, as a means of enforcing it, as mentioned above, that the deserting laborer might be returned to service by process of law, being, however, guaranteed a summary trial of the facts alleged by the employer, and makes it the occasion of a vicious thrust at Southern justice. Says he: “It requires little familiarity with Southern administration of justice between a white man and a negro to know that such appeal (for summary trial) was always worse than fruitless, and that its only effect, if attempted, would be to secure even harsher treatment than if the appeal had not been made.”

Such flings may have been calculated to once evoke applause in some quarters, but their lack of the element of veracity, essential to every honest argument, deprives them of value as comments upon legislative enactments.

His concluding observation is:

“Justice was defied, and injustice incorporated as the very spirit of the laws. It was altogether a shameless proclamation of indecent wrong on the part of the Legislature of Mississippi.”³²

Still laying the foundation for later charges that the South was herself responsible for the pains inflicted upon her, Mr. Blaine again indulges himself at the expense of the general subject of her legislation. He says:

“These laws with all their wrong (even a stronger word might be employed), were to become, and were, indeed, already an integral part of

³¹ *Laws of 1865*, p. 84.

³² *Twenty Years of Congress*, Vol. II., pp. 100 and 101.

the reconstruction scheme which President Johnson had devised and proclaimed. Whoever assented to the President's plan of reconstruction assented to these laws, and, beyond that, assented to the full right of the rebellious States to continue legislation of this odious type."

Here is developed his general line of defense; to first make these laws seem as repugnant, cruel and unjustifiable as possible, and then associate them with the plan of reconstruction which it was his endeavor to prove chimerical and impossible, having therefore to be supplanted by one more "practical." Not for an instant losing sight of his objective, the demonstration of the devolution upon his party, through Southern perverseness and turpitude, of the duty of saving the negro from the criminal machinations of his arch enemy—his former master—he again engages the congenial task:

"It was at once seen that if the party which had insisted upon the emancipation of the slave as a final condition of peace, should now abandon him to his fate, and turn him over to the anger and hate of the class from whose ownership he had been freed, it would countenance and commit an act of far greater wrong than was designed by the most malignant persecutor of the race in any of the Southern States. When the Congress of the United States, acting independently of the executive power of the nation, decreed emancipation by amending the Constitution, it solemnly pledged itself, with all its power, to give protection to the emancipated at whatever cost and at whatever sacrifice. No man could read the laws which have been here briefly reviewed without seeing and realizing that, if the negro was to be deprived of the protecting power of the nation that had set him free, he had better at once be remanded to slavery, and to that form of protection which cupidity, if not humanity, would always inspire." What was done by the South at that time, he says, was "done with a fixed and merciless determination that the gracious act of emancipation should not bring amelioration to the colored race, and that the pseudo philanthropy, as they regarded the anti-slavery feeling in the North, should be brought into contempt before the world."³³

Through all the pages of his argument—an argument by no means free of unseemly gasconade, when he institutes comparisons between the North and South, and descending at times to the low plane of pamphleteering abuse—he consistently pursues his purpose. Discussing the amended Freedmen's Bureau act, a measure which required, as he admits, "potent persuasion, reinforced by the severest exercise of party discipline," to make possible its forced passage over Mr. Johnson's veto—an act which applied only to the still "rebellious States," and not to similar conditions of legislation in others (the existence

³³ *Twenty Years of Congress*, Vol. II., pp. 105 and 106.

of which will presently be shown), a measure which, even in that Congress, as he also admits, "had lost, under discussion, much of the popularity which attended its first introduction," the skeleton is again brought forth, and its bones made to rattle once more. Says he, half apologetically, half heroically:

"In a time of peace these provisions seemed extraordinary, but the condition of affairs, in the judgment of leading Republican statesmen, justified their enactment. The Thirteenth Amendment * * * had made every negro a free man. The Southern States had responded to this Act of National authority by enacting a series of laws which really introduced, as has already been shown, a new, offensive and most oppressive form of servitude. Thus not only was rank injustice contemplated by the States lately in rebellion, but they conveyed also an insulting challenge to the authority of the Nation."⁴

The grave fault with Mr. Blaine, and writers of his class, even granting them perfect honesty of expression, lies in their failure to apprehend the real motives of the Southern people—the real object sought to be accomplished by the legislation upon which they animadvert.

The South was preoccupied with the effort to avert a still further disaster to her material resources, and, at the moment, this effort took the shape of legislation, directed solely to one object, in so far as it concerned the freedman, the utilization of his labor, to his own, no less than the country's, salvation.

The defeat of the Southern armies was a fact not more universally accepted than was the additional and consequent fact, that the negro was free; "free," as Governor Sharkey expressed it, "by the fortunes of war, free by the proclamation, free by common consent, free practically as well as theoretically."

No question of freedom confronted or disturbed Mississippi's Legislature; with that body the sole purpose was to prevent lawlessness and idleness, and its vagrancy and compulsory labor statutes constituted simply an answer to a demand for the prompt application of a radical remedy to a dangerous disease.

These writers ignore any discussion proper to the practical domain of a domestic economy in which the question of labor held the place of undisputed primacy, and, invading with eloquent denunciation the altogether irrelevant fields of ethics and philanthropy, thunder on abstract questions of social and civil rights and wrongs. While Mr. Sumner was filling forty-one

⁴ *Twenty Years of Congress*, Vol. II., p. 166.

columns of the *Congressional Globe* with a sublimated abstraction attempting to demonstrate the eminent fitness of the negro for the ballot, and his "right" to its exercise, the South was absorbed in the question of bread.

These statutes must be considered only in the light of what they were; attempts upon Mississippi's part, not to rob the negro of some abstract "right," not to reënslave him, but to render immediately available and reliable his labor, for his own as well as the public good, at a time when it could not otherwise be commanded or relied upon. Instead of going into hysterics and making a too liberal and indiscriminate use of such terms as "outrage" and "shame," the mind should be calmed to a consideration of the very practical and very simple questions of their necessity and expediency, in view of the end desired and the conditions then obtaining.

Only occasionally does Mr. Blaine touch even the border line of the real question confronting Mississippi and the South, and when he does, it is to speak of the "visible means of support" possessed by the negro, as being "*his strong arms and his willingness to work*," which brings us to a consideration of the attitude of the freedmen of Mississippi at the time of the enactment of these laws.

It has been suggested above that a comparison might be instituted between Mississippi's freedmen statutes and those of other peoples "similarly situated." Such an attempt must of necessity prove a failure through sheer inability to discover in history conditions constituting the parallel. This truth is essentially corollary to the mere historical fact that no large body of negroes had ever been manumitted under circumstances even approaching those attendant upon the emancipation of the African race in the Southern United States. In Haiti, we see it resultant upon the bloody insurrections of Toussaint Louverture and Dessalines, rendered successful through English assistance and the French Revolution. For their government as freedmen, we witness the codes of the barbarous autocracy of the "Black Napoleon" and his successors. In the islands of the French West Indies and Bourbon, we have it finally accomplished after the vacillating and contradictory policies of fifty-

eight years of discussion following the first timid suggestion of the Assembly of 1790; accompanied by laws and orders and decrees laboriously elaborated during a period of many years. In the English dependencies we see it worked out through the sixty-six articles of the Emancipation Bill of 1833, providing £20,000,000 of indemnity to former owners, and a system of graduated apprenticeships extending over periods of five and seven years. In the Northern and Eastern States of the Union, as a rule, slavery died a natural death, through unfavorable economic conditions; but howsoever emancipation eventuated, it came with the accompaniment of severe and discriminating laws, enacted in the midst of profound peace and quiet, and in the exercise by each State of the undisputed right to regulate its own domestic affairs in its own discretion, free of outside interference or control. It came to Mississippi and the South, through the sudden overthrow of long established laws and institutions, in the violence of the bloodiest war of modern times, working, through extraneous influences and revolutionary methods, the temporary destruction of States themselves.

How idle then, to attempt the establishing of parallels—the instituting of comparisons!

Down to that day, the law which had said to the slave: "Here is your freedom," had said to the freedman, "Here also are the conditions under which, for a time, at least, your liberty is restrained." In the South, he was told, not only that he was free—free without condition or constraint—but that he was an equal and a brother; that he had been the subject of half a century of discord and four years of war; that he was still the centre of the tragic stage whereon his freedom had been wrought. By deeds no less than words, he was given to understand that he was the protege of the nation, the object of its solicitude and laws. He was made to believe that his only enemy was his former master, his only friend the conqueror. He saw his master well nigh a mendicant, where he had once been a lord—a suppliant, where he was wont to command; and in the presence of armed soldiers of his race, clothed with powers and privileges, associated in his mind only with superiority, he was furnished the visible symbol of his own simultaneous exaltation. He was given his former master's land to work, and led to believe that to work for that master was but to perpetuate his

bondage; while the belief that the master's land was to be parceled amongst the slaves was allowed to take possession of his mind. He was made the spoiled pet of misdirected philanthropy—the ignorant tool of political hate.

For one who is familiar with the negro, it is easy to appreciate the inevitable effect upon him of a procedure so ineffably foolish. It worked the state of temporary demoralization which Governor Humphreys and the convention committee so frequently described and directed attention to. It is not, however, intended to adduce such testimony as could be attacked as theirs would be, but rather to go to sources unimpeachable upon any such ground as partiality to the South.

Among the first resolutions offered in the Constitutional Convention was one bearing upon the demoralizing effect upon the freedmen of the State of the presence of negro troops. The resolution was directed to securing an inquiry into the advisability of "memorializing the President of the United States on the subject of garrisoning our towns with negro troops, setting forth the * * * demoralizing influence produced upon the recently freed blacks of the State, and the propriety of asking the President if it shall be necessary to continue the armed garrisons in the State, that said garrisons may consist of white troops and not of freed blacks." This was in August, 1865. In November and December of that year General Grant made the trip of investigation to the South upon which he based his memorable report. How nearly, though as should be expected, in mild and guarded terms, this report confirmed the truth of Governor Humphreys' statements of labor and general conditions, an extract will suffice to show. He said:

"There is such universal acquiescence in the authority of the general government throughout the portions of country visited by me, that the mere presence of a military force, without regard to numbers, is sufficient to maintain order."

General Grant did not visit Mississippi on this trip, but his description of general conditions, as he saw them, is peculiarly applicable to this State. He continued:

"The good of the country and economy, require that the force kept in the interior, where there are many freedmen (elsewhere in the Southern States than at forts upon the seacoast no force is necessary), should all be white troops. The reasons for this are obvious, without mentioning many of them. The presence of black troops, lately slaves, demoralizes labor, both by their advice and by furnishing in their

camps a resort for the freedmen for long distances around * * * *, and the late slave seems to be imbued with the idea that the property of his late master should, by right, belong to him, or at least should have no protection from the colored soldier. There is danger of collisions being brought on by such causes. My observations lead me to the conclusion that the citizens of the Southern States are anxious to return to self-government, within the Union, as soon as possible; that whilst reconstructing they want and require protection from the government; that they are in earnest in wishing to do what they think is required by the government, not humiliating to them as citizens, and that if such a course were pointed out they would pursue it in good faith."

"Such a course" had been "pointed out" by Mr. Johnson and Mr. Seward, and was pursued "in good faith."

* * * * * "In some instances," he continued, and he might well have said in well nigh all, "I am sorry to say, the freedman's mind does not seem to be disabused of the idea that a freedman has the right to live without care or provision for the future. The effect of the belief in division of lands³⁵ is idleness and accumulation in camps, towns and cities. In such cases I think it will be found that vice and disease will tend to the extermination, or great reduction, of the colored race."³⁶

That such a report, from such a source, of conditions as they *actually* existed, touching the attitude of the freedmen, signally failed to comport with the radical idea of conditions as they *should* exist, in order to justify the radical conception of their proper treatment, there is abundant evidence. Mr. Sumner characterized the transmission of this report to the Senate as a "white-washing" scheme upon the President's part, and it suited the purposes of the Senate's leaders to accept, as a revelation from on high, the accompanying, and radically contradictory, report, submitted to the President by that very extraordinary individual, Mr. Carl Schurz, in preference to this from the Lieutenant General of the army. That each saw fit later, in the exigencies of party politics, to double on his tracks, has no bearing whatever upon the relative claims of the two reports to truthful presentation of the freedman-labor conditions confronting Mississippi and the South in the year 1865.

In commenting upon the legislation of 1865, the author of a recent work—a work absolutely unbiased in its treatment of conditions—has this to say:

"However, something should be said in explanation of these measures. The sudden emancipation of the slave population, and the too

³⁵ The reference was to the prevalent belief that the land of the late slave owners was to be apportioned to the late slaves.

³⁶ Senate *Executive Documents* No. 2, p. 106, 39th Congress, 1st Session.

generous course of the government in furnishing them with the means of subsistence during their idleness, not only deranged the labor system of the South, but demoralized the colored laborers to such a degree that to the planters of the State in 1865 the outlook was disheartening. The freedman was made to believe that liberty meant license, that as he had been freed from slavery by a powerful government he would also be clothed and fed by it whether he chose to labor or not. He was told by unscrupulous Freedmen's Bureau agents and negro soldiers that he ought not to work for his former master for any promise of compensation, that his freedom was not secure so long as he remained on the old plantation, and that the government in due time expected to confiscate the land of the late masters and divide it up among the slaves. As a result, the freedmen left the plantations and moved to the towns or military camps, refusing to make contracts or to fulfill them when made. The amount of robbery and larceny was alarming. The farmer's swine were stolen for pork, his cows were penned in the woods and milked, and his barns and cotton houses were broken open.

"If he was fortunate enough to procure laborers to plant his fields, he had no assurance that they would remain with him until the crop was harvested. In fact, it was almost certain that they would not. * * * * * The condition of things seemed to demand the immediate adoption of measures to check the demoralization of the freedmen and compel them to labor. Laws were passed, most of which, when impartially enforced, as they generally were, did not work injustice to the negro. Their purpose was to force him to cease his roving and become a producer."⁸⁷

In speaking of the influx of Northern men shortly after the war, attracted to the State by the prospect of realizing fortunes from cotton planting, the same author tells us:

"The belief was general among the Northern settlers, that they could, by the introduction of scientific methods, revolutionize cotton planting. The impression also existed that in view of their relations to the negro race, free negro labor could be made to yield greater returns than where Southern whites were the employers. This, however, did not prove to be true. The remorseless energy and thrift of the Northern planter, and the exacting nature of the service which he demanded, did not appeal to the slow-going freedman, who was accustomed to the patience and forbearance of the Southerner. None of the planters were so quick to declaim upon the unreliability of negro labor as those who had helped to emancipate the negro."⁸⁸

He says that Governor Andrews, of Massachusetts, of course not as an immigrant, however, was reputed to have lost largely, and to have attributed his failure "to negro labor."

Touching the freedman's labor, even the testimony of Mr. Blaine is not without some value. It is at least amusing. He says:

"A belief was prevalent in the North that great profit might be derived from the cotton culture, and that with the assured sympathy of

⁸⁷ *Reconstruction in Mississippi*, Garner, p. 118.

⁸⁸ *Reconstruction in Mississippi*, p. 136, and note.

the colored men they would be able to command the requisite labor more readily than the old slave masters. As a mere business enterprise cotton-growing at that period, except in a very few instances, proved to be unprofitable. The complete disorganization of labor throughout the South, consequent upon emancipation, had embarrassed production and added greatly to its cost. It would inevitably require time to build up a labor system based on the new relation of the negro to the white race, and it was the misfortune of the Northern men to embark on their venture at the time of all others when it was least likely to prove remunerative."

In consideration of even so small an admission as "the complete demoralization of labor," one is almost tempted to forego any allusion to the touching reference to the freedman's "strong arms and willingness to work," in discussing Southern compulsory labor laws.³⁹

Just here we are treated to a suggestion of the compensating feature to these gentlemen, of the failure of their mission, "as a mere business enterprise." "But these men," we are told, "though pecuniarily unsuccessful, quickly formed relations of kindness and friendship with the negro race. They addressed them in different tone, treated them in a different manner, from that which they had been accustomed in the past to receive from the white race, and it was natural that a feeling of friendship should grow up between the liberated and those whom they regarded as liberators."⁴⁰

Though having his confidence thus grossly abused by the freedmen, through the "complete disorganization of labor," the Northern cotton planter, through the incidental establishment of these "relations of kindness," and the complete reorganization of labor into voters, was enabled, a little later, to secure ample amends in staunch and faithful service at the polls.

The most superficial acquaintance with the history of the administration of the Freedmen's Bureau in Mississippi would fully satisfy any unprejudiced mind as to the utter demoralization of the labor of the State, as well as of the necessity for compulsory labor laws. Garner quotes the report of the Secretary of War to show that Grant had as camp followers, at the fall of Vicksburg, some fifty thousand homeless, straggling negroes. In the attempt to rid the army of such an incubus, resort was had to the plan of settling the freedmen on the confiscated plantations along the Mississippi river. In carrying out this plan the Federal officers soon realized the necessity of

³⁹ P. 98.

⁴⁰ *Twenty Years of Congress*, Vol. II., p. 471.

adopting and enforcing the most stringent regulations, with penalties for disobedience. As also shown by Mr. Garner, the visits of negro troops to these plantations were interdicted, and the freedmen forbidden to leave them. Ten hours daily "faithful and honest" labor was exacted, with a forfeiture of one-half their monthly wages for "indolence, insolence and disobedience," while "in case of stubbornness the offender was to be turned over to the provost marshal."⁴¹

After the establishment of the bureau upon a working basis, even greater difficulties were encountered by its chief officials. The same authority tells us:

"The freedmen were advised to remain at home, but the advice was not generally taken. They congregated in the larger towns to such an extent that it became necessary in some instances to order them back to the plantations by military force. Thus at Columbus the commander issued an order reciting that freedmen in great numbers were 'revelling in idleness,' and that they must 'retire to their homes or seek employment elsewhere.' They were given ten days to find employment. They were ordered out of Natchez in a similar manner. In August, 1866, all negroes in Vicksburg without visible means of employment were informed by General Wood that they must leave at once. In June, 1865, General Osterhaus ordered that vagrancy among the negroes must not be permitted, that they must be put to work, and the issue of rations 'closely watched.'"

We are further told that:

"During the summer of 1865, 182,899 rations were furnished to freedmen in Mississippi. They were alleged to be in destitute circumstances, although the commissioner says in his report of December 1, 1865, that no necessity existed why a single freedman should be out of employment, and that 50,000 more laborers could be profitably employed if they could be obtained."

Mr. Garner adds still further:

"No complaint was more general among the whites than that the bureau encouraged the negroes in their idleness by taking them under its care and dispensing rations to them. * * * * * It will be remembered that the freedmen for the most part refused to make contracts for the year 1866, in the belief that the lands were to be distributed among them. Colonel Thomas issued circular after circular admonishing the negroes that complaints were being made to him that they could not be induced to labor, and that as laborers they were unreliable. In order to encourage them to seek employment, he offered to furnish free transportation to any freedman who found it necessary to go to another part of the State in order to find employment."

Mr. Garner quotes the *New York Times*, Feb. 4, 1866, as authority for the statement that "when the Fifty-fifth United States Colored Infantry was mustered out at Jackson in Febru-

⁴¹ *Reconstruction in Mississippi*, p. 253.

ary, 1866, not one of them could be induced to enter into a labor contract;" and the *Herald*, of October 2, 1865, as containing a statement from "a Northern traveler" that "an intelligent freedman in Mississippi told him that he considered no man free who had to work for a living."

Turning again to the bureau, we are told that Colonel Thomas reminded the freedmen once more, in January, 1866, "of the necessity of entering into contracts for the ensuing year, informed them that he had received many complaints charging them with not living up to their contracts, but working as they pleased, and deserting their crops when they knew that the employer would lose all. 'The time has come,' he said, 'when you must contract for another year's labor. I wish to impress upon you the importance of doing this at once. You know that if a crop of cotton is raised, the work must be begun soon, and hands employed for the year.' Continuing, he said, 'I hope you are all convinced that you are not to receive property of any kind from the government, and that you must labor for what you get like other people. As the representative of the government, I tell you that your conduct is very foolish, and your refusal to work is used by your enemies to your injury.' He told them that the vagrant laws were right in principle, and he could not ask the civil authorities to allow freedmen to remain idle and depend for their subsistence upon begging or stealing. In regard to the professed fear of entering into written contracts, he said: "Some of you have the absurd notion that if you put your hands to a contract you will somehow be made slaves. This is all nonsense, made up by some foolish, wicked person. Your danger lies exactly in the other direction. If you do not have some occupation, you will be treated as vagrants, and made to labor in the public works.'"

Mr. Garner says that

"Colonel Thomas' administration was marked by numerous conflicts between the military and civil authorities, and his course was the subject of constant complaints by the whites." His successor seemed a more capable man, gave general satisfaction, and "reported that the whites were 'acting nobler than could be expected of them.'"

Speaking of the investigation of the conduct of the bureau by Generals Steadman and Fullerton, special commissioners, Mr. Garner says:

"They reported that only here and there had the bureau accomplished any good. The chief objection, they said, was not due to the conduct of the higher officials, but to the subordinates, 'who had the idea that the bureau was established simply for the freedmen.'"⁴²

This was Governor Humphreys' position, he going further, however, and saying that the bureau had not only done no good, but had done positive and serious harm. In a message to the Legislature he referred to the bureau, under its first administration, as "this black incubus." He said that many of the officers connected with it were "gentlemen of honor and integrity, but they seem incapable of protecting the rights and property of the white man, against the villainies of the vile and vicious with whom they are associated."

The trouble with the administration of the bureau in Mississippi was the same as that which afflicted the entire scheme of Federal legislation for the freedman. It was an attempted application of theories evolved from the ideas of philanthropists and doctrinaires, as to what was "right," to a people and condition for which the plan adopted was most chimerical. Though refusing to permit the State to put into execution her plan of compulsory labor, the bureau officials yet admitted the soundness of its principles, and sought to accomplish its ends through the medium of threats of resorting to it, coupled with the use of "circular letters" of supplication and oburgation. These circulars addressed the freedmen in terms such as Napoleon might have used to his legions in the shadow of the Pyramids. They told him that the eyes of the country were upon him, implored him to shun vice and wickedness; advised him to make contracts and work; told him that he should lead an upright life, "observe the sanctity of the marriage relation" and "regard his contracts and obligations as sacred." These were circulated through agents and colored ministers; they were prepared in the office of the head of the bureau, while the State swarmed with subordinates spreading through personal contact the vicious ideas against which the circulars warned.

When Major General Banks inaugurated, in 1863, his system of labor in Louisiana, for which he was taken to task by his own section, he encountered the same conditions that existed in Mississippi in 1865, and for a long while afterwards. In a defen-

⁴² *Reconstruction in Mississippi*, pp. 256, 259, 261, 262, 266, 267, 268.

sive address, at Boston, October 30, 1864, he refers to the freedmen, as clustering "about the military posts and garrisons, coming in from the surrounding States, without shelter, food, clothing, employment, or means of support." He further says:

"Their condition was that of abject misery. Suffering, disease and death were seen everywhere. * * * * * the support of the people, which was dependent upon the cultivation of the soil, considerations of public health, and the preservation of the negroes themselves, required that they should separate, rather than be concentrated at military posts. The only method of doing this was to give them employment."

There is additional testimony to the conditions which provoked the legislation of 1865, which should be introduced in this discussion of those laws. It does not bear directly upon that year, but its competency cannot be challenged, for it is an exhibit of the continuance of those conditions—of their projection into later years.

When the Constitutional Convention of 1868 assembled, with its personnel as contemplated by the authority convening it, it at once proceeded to take such action as comported with the character of its membership. One of its first acts indicated the conception of its province entertained by its members. This was the adoption of a resolution to appoint a committee to consider "the destitute condition of a large number of the citizens of this State, and the most appropriate means of a present and permanent relief to the same." In the discharge of its duties that committee submitted a report from which the following extracts are taken:

"They * * * find that there exists, at this time, nearly all over this State, an alarming state of destitution among the laboring classes, and to some extent, among other persons, strangers to labor and economy."

This was more than three years after the close of the war. We are not informed of the method observed in differentiating between the destitute "laboring classes" and the destitute "strangers to labor,"—they were represented as in equal need of "the permanent relief of the State."

"From a careful investigation of this subject, we have been induced to set down the number of the destitute and suffering at thirty thousand. * * * * * It becomes us in the discharge of our duty, to point out some present and permanent mode of relief for this truly alarming condition of the destitute citizens of this State. This is by no means an easy task, and has caused us much serious thought and reflection.

"But after listening to many suggestions from different persons in and out of this Convention, we have thought best to recommend the following plan of present relief as the best we can devise, to wit: That the Sheriffs of the several counties in this State be authorized by this Convention to hold, subject to the order of a commissioner to be appointed by this Convention for said counties, the poll-tax collected or to be collected by said Sheriffs, to be applied by said commissioners to the relief of destitute persons in their respective counties, requiring of said persons, if able-bodied, to work on the public roads, or some other public works of the county, * * * * *

In response to the presentation of this report, recognized at once as a mere pilfering scheme, the Commanding General of the 4th Military District stated that the "subject of destitution" had received his "careful consideration," that he considered the committee's estimate as "much too great," and that he was able to relieve such suffering as might actually exist. The reply he ordered made the committee was accompanied by reports to him from his subordinate investigating officers, submitted with this observation:

"It will be seen from the accompanying reports that the demand for labor exceeds the supply. While this is the case, it is not believed that any great degree of suffering can exist among the laboring classes. It will be seen from the accompanying order that transportation is furnished to laborers unable to procure employment, to points where their services are in demand. It may not be out of place to remark here that at this time letters are constantly received requesting aid in hiring laborers; and five hundred laborers and their families could this day secure employment at the office of the Sub-Assistant Commissioner of the Bureau in this city (Vicksburg). * * * * * With these convictions the Commanding General deems it inexpedient to divert so large an amount of the revenue of this State as that derived from the poll-tax, to the subject specified in your resolution."

Lieutenant Williams reported:

"The amount and generality of the destitute has been very much exaggerated, even in Washington county, and I have no doubt that is the poorest county in the State to-day, as far as their ability to provide for the destitute is concerned."

A circular from the Assistant Commissioner was also appended, containing this admonition, still deemed necessary by that official on January 25, 1868:

"All freedmen who are laboring under the delusion that lands will be furnished them by confiscation or otherwise, are warned that this is a mistaken idea. The only way in which they can obtain land is by purchase, like other people, or by locating upon the public domain."

⁴³ *Convention Journal*, p. 157.

Colonel Scully reported, after a tour of inspection in the counties along the Yazoo river:

"The freedmen are in a destitute condition, mainly because they will not hire out to farmers and planters—a great number of the latter requiring their services. The reasons assigned for this are that wages are too low, * * * * *. Also, they, the freedmen, insist that upon the adjournment of the Convention, at Jackson, the lands in this State will be divided out amongst them, and that they can live until then. My belief is that if the freedmen will work, they can find employment, food and clothing for the present year. I saw no destitution among the planters or people generally, and believe that the many reports of such existing are greatly exaggerated."

Lieutenant Barber reported, from a trip to Grenada, through the central portion of the State:

"As a general thing, the freedmen have entered into contracts for the present season, although I found more idlers and dissatisfaction among the laborers there than at any other point on my route. This is not due, however, to any lack of employment, for I was informed of several persons, from Tennessee and points in Mississippi, having visited Grenada for the purpose of procuring laborers, and offering excellent terms, without being able to secure a single hand. The sub-Assistant Commissioner in charge, reports some destitution among the old and infirm, and among some women and children, who have been deserted by their husbands and fathers. There is a considerable number of the latter class reported in the vicinity of Grenada."⁴⁴

So much for the labor conditions of the State,—the attitude of the freedman towards the question of labor,—his relation to it, as he viewed it in 1865; and even at a later date.

This grave question was the mainspring of the action of the Legislature of 1865. Whether or not the laws of that body were justified by the conditions then confronting the State, is a matter which, the facts having been reviewed for his benefit, may be submitted to the candid judgment of the reader.

It has been suggested that additional considerations prompted some of Mississippi's legislation of this memorable year. So distinguished an authority as Hon. Hilary A. Herbert thus refers to certain of these acts:

"Acts were also passed * * * forbidding to negroes the use of firearms. * * * Recollections of the negro insurrection, headed by Nat Turner, coupled with predictions long ago made by Mr. Calhoun, and frequently by others during and preceding the Civil War, had inspired in the South a very general fear that, in favoring localities, the suddenly emancipated slaves might attempt to repeat the massacres of San Domingo."

⁴⁴ *Convention Journal*, pp. 223, 224, 225, 226, 227.

He also says:

"There was little chance for moderation in public sentiment * * * when Southern people, in constant dread, were watching and guarding against insurrection * * *"⁴⁵

The suggestion that any of Mississippi's laws were influenced by such fears, rests upon a poor foundation indeed. The denial to the freedmen of certain privileges, such as the possession of firearms, was a precaution prompted by no such fear, and one the continuance of which would have been to the best interests of the negro; would be, were it obtaining now, in this day of "picnic" brawls and crime-breeding "excursions." It would be idle to deny that a few intelligent men entertained such ideas; it would be equally as idle to claim that such opinions were held by, or dictated the policy of, men as familiar with the negro as were those who composed the Legislature of 1865.

The Convention Committee, which recommended this prohibitive legislation, emphasized the fact that in doing so it was moved, not by "any apprehension or sense of danger to the white population, but by the clear conviction that such denials and restrictions will be for their (the freedmen's) present and ultimate good * * * ."

A passage in Governor Humphreys' message, of November, has sometimes been brought forward to support this claim, but not by any one familiar with the weighty purpose which was the real prompting of his recommendation. To his every effort at securing some promise or assurance of the withdrawal from the State of Federal troops, and the termination of military interference in its civil affairs, the response from Washington was that this would occur when "in the opinion of the government," peace and order could be "maintained without them." There was never profounder peace within the borders of the State, and the danger of an outbreak between black and white was a figment of the Federal official mind. Even if its potentiality were granted, it was dependent upon the very condition sought to be removed,—but which was continued, as was claimed, to prevent it,—the presence of negro and other troops. To remove even the excuse of this alleged fear of the results of a withdrawal of these troops, Governor Humphreys favored the

⁴⁵*Atlantic Monthly*, February, 1901, p. 153.

organization of a State militia upon an effective basis, capable of taking the place of the Federal soldiers, and of "maintaining peace and order" after their departure. He accordingly advised in this message, among other things, the passage of "a militia bill that will enable the militia to protect our people against insurrection, or any possible combination of vicious white men and negroes." In concluding his message, he expressed his sense of the importance of his various suggestions being enacted into laws, saying that, through them, the State, among other accruing benefits, might "secure the withdrawal of the Federal troops. The bill which became a law, in response to this suggestion, contained only the usual enumeration of the duties of the militia; the repelling of invasions and the quelling of insurrections. The language was not even as specific or as comprehensive as is that of the existing law, which is "to execute the laws, repel invasions, and suppress riots or insurrections." However, even where Governor Humphreys' language may be fairly construed to suggest such an apprehension, it was reflective neither of the State's nor his personal fears, but was uttered at the suggestion, or earnest solicitation, of the military officers representing the Federal power in Mississippi.

On December 9, 1867, two years subsequent to the enactment of these laws, Governor Humphreys did issue a proclamation bearing upon the matter of "insurrections." He stated that communications had been received at his office, and at the headquarters of the Military District, indicative of apprehensions of "combinations and conspiracies" on the part of the negroes to "seize lands and establish farms" in the event of Congress failing to "arrange a plan of division" by January, 1868. Governor Humphreys thus admonished the freedmen:

"* * * If any such hopes or expectations are entertained, you have been grossly deceived, and if any such combinations or conspiracies have been formed to carry into effect such purposes, by lawless violence, I now warn you that you cannot succeed."

This proclamation became the subject of an investigation by the Constitutional Convention of 1868. Governor Humphreys was asked to give the information on which he had based the proclamation, and replied as follows:

"* * * * * I have no secrets I desire to withhold from any class of our people, white or black. My Proclamation of the 9th of December, 1867, was issued at the urgent request of General Ord, Comman-

der of the Fourth Military District, and all the information I have on the subject you desire to investigate, was received from and through him, except a few letters received from prominent citizens, which I referred to him, as soon as received, and which, I presume, are now in his possession."

He referred the committee to General Ord, and that officer referred them in turn to General Gillem, who had succeeded him in the command of the District. General Gillem informed them that he had concluded that it would be "incompatible with his duty" to comply with their request; advising them, at the same time, that he himself had never entertained the belief "that insurrection was meditated by any class of the inhabitants of this State."

The committee reported:

"They have made diligent inquiry of different delegates in this Convention, coming from all parts of this State, and at no place within the limits of this State, before, at the time, or since the issuing of said proclamation, were there any indications of insubordination, riot, insurrection or outbreak of any description whatever among that class of citizens referred to in said proclamation."

They stated that the alleged causes for issuing the proclamation were "utterly without foundation," and declared, generally, that the freedman,—though they did not so designate him,—had been grossly maligned.⁴⁶ And therein he had been, but by those sent to guard and defend him, not by those who knew him best.

It is not necessary to pursue this subject further, but this testimony, from one who in that troublous time lived in one of the blackest counties in the South, and was a participant in, and observer of, the movements of the period, is well worthy of incorporation here:

"Living in a black county of the State then, we are in a position to affirm that this picture of 'dread of insurrection' is wholly delusive and imaginary as to Mississippi. There was one thought that dominated all, in the black codes: Provision for the material needs of the future, and against the debts of the past—to preserve the freedmen, upon whose labor all depended, from degenerating into vagrants and tramps. This aim was the WHOLE underlying principle of the freedmen acts of 1865."⁴⁷

It is not claimed for Mississippi's freedmen statutes that they embodied the perfection of human wisdom, but only that their

⁴⁶ *Convention Journal*, pp. 577-581.

⁴⁷ J. S. McNeily, in *Vicksburg Herald*, March 3, 1901.

authors were prompted by motives both reasonable and honest, and that, in actuating their conduct, "hatred of the negro" and "disloyalty to the Union" played no part. To demonstrate even a lack of wisdom upon their part, viewing their acts in association with their surroundings and necessities, the history of negro freedmen legislation throughout the world must needs be re-written, and the acts of its authors undone.

The members of the Legislature of 1865 were not drafting laws for all time, but merely to meet a transient condition. To the experimental and temporary character of these acts, the discussions and committee reports bear abundant evidence. These legislators were by no means wedded to their ideas, but were open to discussion and conviction. For the time being, they preferred to err, if at all, upon the safer side.

Within less than twelve months after the adjournment of this Legislature, it was convened in extra session by the Governor. In his message, of October 16, 1866, he thus reviewed conditions and proffered suggestions:

"No special emergency, but a general exigency, resulting from the altered and deranged condition of our Federal Relations and domestic affairs at the termination of the late Civil War, which, in the nature of things, could not be fully adjusted or provided for at your first session, now demands your further consideration and attention. The removal of the negro troops from the limits of the State, and the transfer of the Freedmen's Bureau to the administration and control of the officers of the Regular Army now commanding the white troops in the District of Mississippi, are subjects of congratulation to you and to the country. The white race is thus relieved from the insults, irritations and spoliation to which they were so often subjected, and the black race from that demoralization which rendered them averse to habits of honest industry, and which was fast sinking them into habits of idleness, pauperism and crime."

It is not surprising that Governor Humphreys should have thus congratulated this session of the Legislature upon being rid of the two prime causes provocative of the conditions which confronted its first sitting.

The Governor commented upon the enactments of the first session, and suggested various modifications of them. Some of these, he considered, a year's observation had shown to be unnecessary from their inception; some, the removal of irritating causes, upon which he had congratulated them, rendered no longer necessary; some he thought needlessly restrictive. He renewed his recommendation of the first session as to ne-

gro testimony, saying: "Public justice to both races demands the admission of negro testimony in all cases brought before the civil and criminal courts." He still thought, however, that firearms were not essential to the freedman's "protection, prosperity or happiness," and that he should be allowed them only upon license,—“a privilege he can always secure where his character for good conduct and honesty is known.”⁴⁸

Following the general line of the Governor's recommendations, a number of changes were made in the existing laws.

The law providing for a Freedman's Pauper Fund was so amended as to relieve minors and women from its operation, a capitation tax having been originally levied on all freedmen between the ages of eighteen and sixty for the benefit of this fund. The law conferring personal property rights upon freedmen was extended to real property also, thus placing the two races upon an exact equality in all property rights, privileges and exemptions. While the first session had not entirely met Governor Humphreys' advanced position on negro testimony, this session did. By repealing all the qualifying and delimiting provisions of the Code of 1857, as well as of the laws of 1865, every restriction was removed from the competency of freedmen to testify upon an equal footing with the white man.

By a sweeping provision as to infractions of the criminal laws, freedmen were put in every and particular respect upon an equality with white offenders; it being enacted: "That all laws imposing discriminating punishment on freedmen be so amended that for all offenses committed by freedmen against the criminal laws of this State, they shall be tried in the same courts and by the same proceedings as are the whites, and, upon conviction, shall be subject to the same pains, penalties, forfeitures, and punishments."

While the apprentice laws of 1865, still denounced by critics who "wilfully themselves exile from light," were mere transcripts from Northern statute books, as is shown below, it was yet determined to eliminate discriminations between white and black children, in advance of such "free State" action, and embrace all in one common provision. The entire act of 1865 was accordingly repealed, and it was enacted that the provisions of

⁴⁸ House Journal, pp. 7, et seq.

the Revised Code of 1857, "in relation to poor orphans, and other children, shall be so construed, as to apply to and include freedmen." Such portions of the Code provisions as originally had special reference to negro children were specifically repealed⁴⁹

The laws of Mississippi, then, as enacted and amended at the legislative sessions of 1865 and 1866, and upon the sole initiative of those who time and again, both before and after, were declared unfit to legislate for him, left the freedman the equal of his late master in the courts of his State, his testimony undiscriminated against; they endowed him with every property right possessed by the white man; they obliterated the distinctions of the criminal code; and over the orphaned children of his race and the white, they exercised a common care.

In these two sessions, but a year removed, the same men served; of their actions in the first much has been said, of the second but little is heard. The time is probably not yet come for history to enter its final judgment upon what they did, or sought to do; when it is written, they may not be found to have been altogether wise—surely it will not be set down against them that they were strangers to justice and the right.

One of the most accomplished of the innumerable publicists of Europe and America who have concerned themselves with the subject of negro emancipation, was Pierre Suzanne Augustin Cochin. Identified from early youth with the movement for abolition in the French possessions, his discussion of that movement and its results, the work of his maturer years, became, to the French school of emancipationists, the final authority upon its subject. Translated into English, and brought out in Boston during the progress of the war, in 1863, it attained a no less eminent place in the estimation of that school of American doctrinaires of which Mr. Sumner was the most distinguished exponent.

Recounting that the French Academy had decreed to this work a prize of three thousand francs, and that it brought to

⁴⁹ *Laws 1866-67*, pp. 227, 232, 233, 443, 444.

its author an order of knighthood from the Pope, the American translator has this to say of *The Results of Emancipation*:

"Its value in this country can hardly be estimated, appearing as it does on the eve of a crisis of emancipation, caused abruptly, as in the French colonies, by revolution, and which, as in these, will wreck for a time the prosperity of the States in which it is wrought, or lead them without suffering to a more prosperous condition, according as we profit by the experience of our neighbors."

Though an ideologist to a large degree, Cochin's work abounds in much that would have profited the country,—the North as well as the South and the negro,—had it been only heeded. Saying that he had "made the tour of the world only in books," that he had visited "neither Timbuctoo nor Cayenne, nor even Senegal, or Mississippi," and though one of his dreams was, as a result of universal emancipation, the peopling of tropical lands with an "intermediate race," "providentially made," from the mixed blood of white and black, yet the practical teaching of his work was the dependence of the first success of emancipation upon the precautionary maintenance of labor. His declaration of faith in the possibility of "liberty, equality and fraternity" accomplishing all things for the African, received in America a hearty response,—the lessons below these superficial abstractions were never learned.

It was the failure of the North to profit by this record of the experience of France, that caused the "crisis of emancipation" to "wreck for a time the prosperity of the States in which it was wrought." It is this which brings at this late day this record to the serving of a purpose, foreign, if not hostile, to any end sought to be accomplished by its author,—its use in defense of the State which he classed with Senegal and Cayenne, as having visited only through the medium of books.

It has been stated above that emancipation in the French West Indies and Bourbon was accompanied by restrictive laws. This is not a literally correct statement of fact, though practically true, since such orders and decrees, long before proposed, soon followed it; while such governors as saw fit, exercised the right to make a simultaneous application of them. It is necessary to our purpose to merely review and contrast the experience of those wherein they, or equivalent restrictions, were resorted to, with those in which they were not invoked.

It may be affirmed as a truth of universal application that ne-

gro emancipation has been invariably followed by an immediate tendency among the freedmen to sink into habits of vagrancy and idleness. This proposition has been so plainly true that it has not been denied by well-informed and honest writers. They have rather met it with a plea in confession and avoidance. Throughout Cochin's work he is continually explaining why this fact is as it is, alleging reasons for these synchronous conditions. The reasons may have been excellent, but they were not in question; it was the condition itself against which wisdom would seek, through the laws of England, of France and of the Northern and Southern States, to provide.

In the island of Guadaloupe, we are told, "doubtless labor suffered in the beginning," though, consistently with his policy, he suggests a number of reasons therefor, making emancipation merely incidental to the others: "Lastly," says he, "the sudden liberation of the slaves complicated a position which it had not alone produced." He adds, of the freedmen:

"They were naturally seen to abandon the large plantations (though here he injects, as usual, a saving clause), especially those where they had been worse treated, and to divide into two classes—the idle, who thought themselves called to the liberty of doing nothing, and the industrious. * * * Even among those who consented to work on the plantations, a great lack of regularity was remarked * * *."

Describing the tumults into which the island was thrown, we are assured that:

"Disorder was not born at Guadaloupe with emancipation, but only through the consequences of revolution. Thus a great part of the loss of time by the former slaves came from their subjection to numerous formalities, not only in registering themselves in the Civil state and obtaining the emancipation papers, to which they attached a rightful importance, but also in exercising political rights. They were not disturbed by their recognition as men; they were agitated by their improvisation into citizens."

The latter portion of his proposition will readily be accepted. On May 27, 1848, emancipation was formally proclaimed—without conditions—without restrictions as to labor; for two years labor was disorganized and riots were the pastime of the populace; on July 11, 1850, the island was placed under martial law, and we are gravely informed that "prosperity did not return as speedily as tranquility," and that it was not by unrestricted emancipation that "peace had been troubled," "although it had served as the pretext." To the American dominant party of

1865 this observation might have proven valuable if taken to heart:

"Emancipation had been there a day of rejoicing; the elections brought days of mourning, and politics remain responsible for tears and blood which had not been caused by freedom."⁵⁰

Unrestricted freedom, however, combined with politics, came also to the South. The difference of degree in the confusion which it wrought, merely marked the difference of temperament between the Latin and the Anglo-Saxon.

In Martinico, we are told that "the news of emancipation at first caused no disturbance." This must have reference to a temporary absence of riots, for the commission which the governor deemed it necessary to appoint to examine "into the state of labor" reported that immediately succeeding emancipation, "culture on a large scale * * * was completely abandoned." There had also been strife and bloodshed, however, occasioned by politics, to which M. Cochin refers as "the mournful days which had witnessed murder and incendiarism."⁵¹ Here, also, had been emancipation unaccompanied upon the governor's part by the application of restrictions as to labor and vagrancy. These, however, were enforced at a later date, as necessary to check the excesses of the freedmen, and bring order again to the island.

Of the unimportant colony of Guiana, we are told:

"If order did not suffer, it was impossible that it should have been the case with labor. * * * But, in general, inconstancy, the love of small estates, the novelty of independence, and the incitement of the republican reunions, estranged the negroes from labor. The letting of the colonial lands for a part of their produce was vainly essayed; the blacks distrusted any system which did not secure them the fruits of their labor day by day."

As though it possessed not the least significance, and dismissed with the bare statement of the fact itself, our author naively remarks:

"A commission appointed by the Governor for the regulation of tasks had more success."

The statement, however, is doubtless literally true. Still explaining, he tells us why the freedmen would not work:

"If a great number of blacks returned to Indian life by installing

⁵⁰ *Results of Emancipation*, pp. 107-112.

⁵¹ *Results of Emancipation*, pp. 101-106.

themselves on bits of ground in the uplands, they were not led there merely by an instinct of vagrant independence. Averse to working the plantations on shares, or to hiring the colonial lands for a part of their produce, the tardy results of which inspired them with a natural distrust, they wished to labor only for wages, and their former masters had not capital wherewith to pay them."

Truly, a most excellent reason why they should not labor! As if in further proof of the high ground taken by these new "citizens of France" he tells us that, though the negroes knew their strength, they permitted the elections to pass off "without disturbance," "and added another proof to the demonstrations, furnished by the long months of crisis, of the gentleness of these people, *who lacked labor much more than labor lacked them.*"⁵² Guiana was made a penal colony in 1851, and is hence dismissed from further consideration here.

Because of the agreeable surprise which its conduct afforded the abolitionists of France, and for which, apparently, they were unable to account, M. Cochin dwells with peculiar pleasure upon emancipation in the Isle of Bourbon. He says:

"Numerous reasons united to give rise to the fear that emancipation would be the signal for a more painful crisis on the Isle of Bourbon than anywhere else; on the contrary, it was milder. On an island situated four thousand leagues from the mother country, * * * * * was crowded a population of 37,000 whites, 66,000 slaves, and 7,695 bound laborers of all sorts * * *. In the number of whites were reckoned the free colored men, almost all opposed to labor, and incapable of filling office or maintaining order. The bound laborers were far inferior to the slaves."

With the statistics of production recited in proof of the tranquility and prosperity of the island—of all the colonial possessions of France, the only one capable of making such an exhibit—we need not concern ourselves. Only the causes of these conditions, as presented by the author, possess any interest for us.

Three months elapsed between the receipt of the first news in Bourbon of the establishment of the Republic of 1848, and that of the decrees abolishing slavery. An assembly of citizens of the island "declared them rendered by incompetent authority," "and," he continues, "drew up a plan to be submitted to the mother country, which, without opposing the emancipation of the slaves, demanded," among other things, "the postponement

⁵² *Results of Emancipation*, pp. 117-120. No apology is offered for the italics.

of the measure, in order to give time to gather in the harvests, and organize schools, hospitals, and penal labor," and for "the formation of a National Guard and Municipal Councils before emancipation." We are also told: "The same unanimity appeared in the public square at St. Pierre, where in August, an imprudent speech having exasperated the negroes, five thousand inhabitants assembled on the instant to watch over the maintenance of order."

As stated above, many differences existed between emancipation in these islands and in the South, the two vital points being readily seen to have been the absence from the islands of military or other active intervention, and the power in the local authorities to exercise their unhampered judgment in dealing with the situation. This discretion was not availed of in Guadeloupe or Guiana (except to a slight degree in the latter colony), and to only a limited extent, and not at once, in Martinico. We have glanced at an exhibit of the results in these three. What, now, of the methods and results in the island under consideration?

Letting our distinguished authority speak for himself, he tells us:

"To guard against the diminution of labor, the Governor resolved to abrogate the order given March 6, 1839, to prohibit the future immigration of Indians, but he did not consider himself obligated to promulgate prematurely the abolition of slavery, though authorized to do so by a dispatch dated May 7th; and when his successor arrived (October 13th), the colony was at peace, and labor was scarcely anywhere interrupted.

The Commissioner-General, M. Sarda-Garriga, published the decrees of emancipation, October 18th, in a solemn audience of the court. He had the good sense to close the clubs, to surround himself with enlightened counsels, and to prescribe, by a provident order, that before the 20th of December, the end of the delay accorded by the decrees, every slave should hire himself to labor for two years on a sugar plantation, or for one year as a domestic, under penalty of being regarded and punished as a vagrant."

The wisdom of this law compels, even from Cochin, the plaudit of "provident order;" the less severe statute of Mississippi was such an "effort to perpetuate slavery" as to "outrage Northern sentiment" and invite reprisals of a harsh and bitter and vindictive kind. He continues:

"Thanks to these measures, followed by an order to establish penal works, with the approbation of the planters, and under the control of the former Governor and principal functionaries, the transition was easier than had been hoped."

It would seem that M. Cochin would rest content with this. Not so. He mentions another cause of the excellent state of affairs which he describes. He says:

"Without doubt the kindness of the whites and the gentleness of the blacks facilitated the relations between them. Happily, during the past few years, the negroes had been evangelized with as much success as zeal by excellent priests, whose personal influence contributed powerfully to the union of classes."⁵⁸

But did all the whites who were blessed with kindly hearts reside at Bourbon? Certainly not all the blacks of "gentleness" lived there, for we have left some, who at elections refrained from murder, in the penal colony of Guiana. But upon the respective claims for the merit of producing so pleasing a picture, as presented in the "provident order" of the Governor and the zealous evangelization of the priests, we shall not presume to pass. The mere presentation of the situation itself quite fully answers our every purpose.

Referring to the various provisions of the French government antecedent to the liberation of its negroes, Cochin says:

"Before the emancipation of the slaves, every step taken towards this solemn hour was lighted by immense labors, reports, discussions, and inquiries."

What he says of the scope of the labors of the commission on laws, whose appointment after emancipation, in 1849, was made necessary by "the sufferings which the transitory and violent state of affairs * * * * had drawn upon our possessions," may be affirmed of all the labors of those who sought to provide against the consequences of emancipation by various restrictive systems. This was summed up by him as "government, repression and labor." It is needless to enumerate the many devices suggested during the kaleidoscopic changes in the French government, made while they were being discussed, and covering more than half a century preceding final emancipation. They covered the entire field of politico-economics, with a breadth of range which extended from the philosophic elaborations of De Tocqueville and De Broglie, to the quite simple and truly practical provisions "borrowed from the code of Haiti." They all had one object—the following of emancipation by immediate laws for temporarily enforcing labor upon, and preventing the vagrancy of, the freedmen.

⁵⁸ *Results of Emancipation*, pp. 112-116.

As it is not the purpose of this review to devote any special attention to this Haitian Code, it may be remarked here that these eminent Frenchmen honored it with mention in their report, though Cochin is silent as to the exact extent to which they "borrowed" from it. According to a most intelligent discussion of the committee's report, about the time of its publication,⁵⁴ it found as follows:

"In San Domingo, the negroes, having made themselves free, of course took holiday, and it was found necessary to force them to work. The first regulations for this purpose were mild, and failed. The negroes did not understand or regard them. Toussaint Louverture, 'Vainqueur des Anglais,' as the Committee called him, * * * 'governed the colony very wisely, which, under him, says Malenfant, 'was flourishing. The whites were tranquil and happy on their estates, and the negroes worked.' And well might they work! 'His code,' say the Committee, 'was infinitely more rigorous than that of Polverel.' But even this code, rigorous as it was, soon became a disregarded and forgotten form. 'Toussaint simply instructed his inspectors, and they acted accordingly.' These inspectors were his own nephews, Moses and Dessalines, 'afterwards emperor.' 'These officers exercised over their subordinate an unlimited power, and all the declarations concur in representing the system established as the most arbitrary and despotic possible. * * * * These two chiefs, naturally impetuous, were ill humored, and of difficult access. General Dessalines, above all, conversed with a savage and repulsive air. It was rare that he did not distribute blows of the cudgel to the chiefs of gangs when he inspected the works of a plantation. If any of them threw the blame of defective culture upon the laziness of the hands generally, he had one of them selected by lot to be hung. But if they indicated one by name, as a disputer or sluggard, this cruel man, in his rage, made them bury him alive and forced the whole gang to witness the agonies of his victim.'" The Committee significantly add: "One may conceive that * * * ten new citizens should do as much work as thirty slaves formerly."

Our amiable author may well afford to assure us that "no excesses (by the freedmen) existed under the strict and intelligent administration of Toussaint l'Ouverture."

To return to France: Though the revolution through which emancipation ultimately reached the French colonies, overturned these elaborate preparations, so far as making them an actual feature of an emancipation program was involved, the governors of these colonies, as has been shown, did, or did not, as their wisdom dictated, invoke their aid—either their letter or their spirit—in handling the conditions eventuating upon the freedom of the slaves.

Cochin admits, as we have seen, that emancipation without

⁵⁴ Dr. S. Henry Dickson, Charleston, 1845, pamphlet.

labor laws meant vagrancy, idleness and crime, and it is needless to follow his many and devious explanations of the cause. Let one suffice.

"But is it correct," he asks, replying to a statement, "that the labor of the former slaves and their descendants is no longer to be taken into account * * * ? If we speak of the first years, this result is true, at least in part. * * * * * We have seen that the diminution of labor during these years should be attributed in great part to political excitement; but it is perfectly true that it was also among the first effects of emancipation. This was natural. What prisoner does not escape when his prison door is broken? What bird does not take flight when his cage is opened?"⁵⁵

A pretty enough way of explaining why the freedmen "passed continually from one plantation to another," but unnecessary. The excuse of a natural action may be sound, but Mississippi sought to deal merely with the existence of the fact.

We have seen the circumstances attendant upon emancipation in Martinico, Guadeloupe and Bourbon. Let us dismiss the subject with a glance at their later respective conditions. Says Cochin:

"The following fact has always struck me: The prosperity of the Isle of Bourbon is incontestably far superior to what it was before the abolition of slavery."^{56a}

"It is, furthermore, impossible to pretend that this island has received from nature a perpetual advantage over the rest. For before 1848, Guadeloupe was the most flourishing of our colonies, Martinico next, Bourbon last; the order is now exactly reversed, Bourbon comes first, then Martinico, lastly Guadeloupe. However disagreeable, therefore, may have been the sequel of emancipation, it is not justifiable to affirm that the ruin of the colonies has been the infallible and inevitable consequence of this measure, since this consequence has been averted at Bourbon. In the second place, since three colonies, under the influence of the same cause, are in wholly different conditions, this cause has not been the only thing that has acted on them. Either it is joined to other evils, or it has presented other remedies. It is unjust to say that this cause has done all the harm, since the same cause elsewhere has not done the same harm. Facts fully justify this reasoning."

The explanation of this great difference of conditions would seem to be transparent to any but the wilfully blind, though he seems scarcely to apprehend it, in the following feeble recognition: "*At Bourbon the government was more far-sighted; con-*

⁵⁵ *Results of Emancipation*, pp. 208, 209.

^{56a} Let us here remark that in this argument no issue is joined between slavery and freedom. We are dealing with facts merely demonstrative of the wisdom of the South, in her attempted exercise of a measure of temporary control over the labor upon which this freedom was bestowed.

tracts for labor were effected through its care without delay." Contrasting Martinico with Bourbon, to the former's disadvantage, he says: "Nevertheless, this colony has uprisen;" and through what intervention? "An energetic governor, Admiral de Gueydon, has given the most intelligent attention to the re-organization of labor." Through what means was this "re-organization" accomplished? He does not state, though he has told us elsewhere;⁵⁶ a resort to the decrees long before promulgated by Bourbon, "on the labor, police, vagrancy, and immigration, followed by numerous and severe measures." As Bourbon had surpassed Martinico, so, he says, had the latter "surpassed Guadaloupe, to which, formerly, it remained inferior. The latter has, notwithstanding, more laborers, more land, and better conditions."⁵⁷ It merely lacked the application of the decrees—none being enforced till 1857—when, nearly ten years after emancipation, a resort to them was compelled by necessity. Yet one thing more, and he does not permit us to overlook it: At Bourbon, he tells us, "The negroes were more religious."

A mere recital of these conditions renders obviously unnecessary comparisons, deductions or comment.

As stated above, the emancipation acts passed by the British Parliament in 1833, provided apprenticeships, the longest of which was to expire in 1840. In 1836 it was sought to terminate these apprenticeships, but Cochin tells us:

"The cabinet of Lord Melbourne, supported in its hesitation by Lord Wellington, Sir Robert Peel, and Mr. Gladstone, sustained the system of apprenticeship, *because it had been successful* * * * *."

They were abolished, however, in 1838 and 1839. Our author admits that, under this system of provision for labor after emancipation:

"The transition of the negroes from slavery to freedom was affected without commotion; from 1834 to 1838, the crimes and misdemeanors, null, or very nearly so, with respect to the person, continually diminished with respect to property; production, less on certain points, equal or superior on certain others, was maintained in general during the four years of apprenticeship."⁵⁸

⁵⁶ *Results of Emancipation*, p. 207 and note.

⁵⁷ *Ibid*, pp. 295 and 296.

⁵⁸ *Results of Emancipation*, pp. 324, 330, 331.

In defending, before a Boston audience, in 1864, as mentioned above, the labor system which he had established when in military command in Louisiana, in the preceding year, Major General W. P. Banks thus recapitulates the conditions agreed upon between the negroes, the planters and himself:

"First, that their families should not be separated; second, that they should not be flogged; third, that their children should be educated; fourth, that they should not be compelled to labor where they had been abused; and fifth, that they should be paid reasonable wages for their toil."

The system was inaugurated under martial law, labor, of course, being compulsory.

Even he did not escape the criticism of the ignorant. Defending, or explaining, if it be preferred, his course, he says:

"The system is but an experiment, made necessary as much for the preservation of the oppressed race as from the condition of the country."

He declared it to be his belief that for every case of wrong suffered under such a system an offset would be found "in the workshops of England or the United States." He said:

"The complaints of seamstresses and other persons, male and female, employed in Northern cities or towns, whether in domestic or agricultural service, will show as much diversity of interests, as much dissatisfaction, as many cases of inexcusable wrong."

He maintained that the objections that were raised were "fully answered by a statement of facts not known to those by whom they are urged, and not entertained where the general situation of the country is understood."

He had the temerity to make two statements which must have grated harshly upon ears acute to catch the tale of negro woes: The first being:

"The production of crops in that part of the country requires the steady labor of a year, and without this security it is impossible for any employer to enter into contract with his laborers. It has never been demonstrated by actual experiment that the negro would subject himself to continuous labor by any engagement or choice of his own. This doubt was and still is entertained by many who sympathize with the slave."

The second reads as follows:

*"The people of the North are much more disturbed and distressed at the condition of the negro than he is himself."*⁵⁹

⁵⁹ Equally as true nearly forty years afterwards.

He further said:

"It is not a new idea that is embodied in the re-organization of labor in Louisiana. It has been tested for three-quarters of a century. Toussaint L'Ouverture tried the experiment in San Domingo. There is nothing different in his system from that which we have adopted, except that it was infinitely more severe upon the negro * * * * * England has tried the same experiment and has not been able to succeed except by such general method. France, whose ablest men have been employed in its consideration for sixty or seventy years, * * * adopted the same principles * * * * * Can we demand, even if we had no other ground for our procedure, that a philosophy which has been thus discussed and practically tested in the colonies of England and France for half a century, should be discarded altogether, until somebody can suggest a plan more perfect, and more certain to benefit the laborer?"

His closing was his keenest thrust:

"The best service the City of Boston or its patriotic associations can render to the country in times like these, is to direct intelligent men to visit distant portions of the Union where important principles are tested, for the purpose of instructing the public mind by imparital statement and a calm judgment upon the real condition of public affairs."⁶⁰

In reviewing the salient features of the legislation devised by other countries for the newly emancipated negro, the full measure of our purpose has not been a mere resort to a *tu quoque* argument. In entering more largely into a discussion of the immediate results of emancipation in the French colonies than in the English, the purpose was to show from history the contrasts between the immediately resultant condition of both the freedmen and the country, in the islands that did not resort at once to labor and vagrancy laws, and in the one that did, as best illustrated in Martinico, Guadeloupe and Bourbon. Though even a fair apprehension of the conditions set forth in Mississippi must show that labor fared best, and, with the planter, was most prosperous, where the Freedmen's Bureau officials made the closest application of the fundamental principles underlying the State's laws as to vagrancy and labor. Such sequential conditions are amply demonstrative of the wisdom of the men who enacted those laws. We have now to show how base, as well as baseless, is the charge preferred for the most unworthy of political objects, that these statutes sought to "perpetuate slavery" and were prompted by "hatred of the negro."

⁶⁰ *Emancipated Labor in Louisiana*, address at Boston and Charleston, Mass., 1864, pamphlet.

To demonstrate that the course pursued by Mississippi was identical with that adopted throughout the world, is, we take it, sufficient to absolve her from these unjust accusations; since it can hardly be maintained that in the same treatment of the same conditions, there were present in the South motives which were absent from all the rest of Caucasian mankind. To complete the proof of this identity of treatment, wherever the conditions had up to that time been presented, it is necessary to add, to what has already been given, merely a review of the legislation of the Northern United States.

More than a quarter of a century ago it was claimed in Mississippi that, not only was this legislative treatment not racial in its extent, but that it was not even coextensive with the United States; and it was sought to narrow it down to even less than sectional lines, by charging it to a single political organization. This charge was made on the eve of the revolution of 1875, to use a popular expression, and was, of course, like Mr. Blaine's far graver accusations, solely a result of the exigencies of party politics. The answer to this charge was made by the late Senator J. Z. George. It served its purpose then,—it will probably serve ours now. Said he:

"The argument presented to the freedmen by those who would still further inflame the colored people against the Democrats and Conservatives, is that the Democrats were in power in 1865, and the result was the legislation of that year; and that if they were again in power, it is a fair presumption that they would act as it was charged they acted then. If this charge is made simply against the Democratic party, as a political organization, and is intended alone to affect men who are Democrats, it is easily answered."

After showing that there was no such thing as an organized party of any sort in Mississippi at that time, he continues:

"The plea that the whites are not to be trusted because of the legislation of 1865, will not be received as a good one. The answer to it will be found in the legislation of the Northern States themselves, in the action of the United States Congress and Executive, preparatory to emancipation, during the late war, and in the example of Great Britain when she abolished slavery in the West Indies.

"A short review of this legislation will be well; for it will be found, after all, that the legislation of 1865 has, in most of its provisions, its prototype in the legislation of Northern States, and, taken altogether, was more moderate in its character, securing greater and more substantial rights to the freedmen, and that at a shorter period, than the legislation attending emancipation in any other country. It will be seen that this legislation was, in fact, an attempt to solve a great problem, to evade a great difficulty, and that this solution and evasion were wrought out, or attempted to be, with less infringement on the

rights of the colored people than in any other State where slavery had once been established.

"It is complained that the whites of Mississippi did not at once allow the freedmen to hold real estate, and that each one was required to have a home or employment by the 1st day of January, 1866."⁶¹

⁶¹ The only form in which I have seen this discussion by General George is in its publication by the *Clarion* (Jackson), September 15, 1875. The citations of authorities appeared as an appendix to the article. In so far as it was possible to do so through the volumes of State laws now in the State Library, I have verified the references, to guard against such typographical errors as might be expected in a newspaper publication of such an article. If any errors of pagination still exist, it is believed that they will not be found sufficient to interfere with the easy use of the references. I am indebted to the editor of the *Clarion Ledger* for the privilege of examining his files. I have taken the liberty of altering General George's arrangement of his citations, grouping them by subjects, rather than States. The value of this comparative digest, even if only regarded as an historical document, when its distinguished authorship is considered, justifies its reproduction and preservation in the *Publications* of this Society.

As to militia service: Massachusetts—negroes not allowed to enroll, but subject to call for any desired work: Rev. Laws, 1814, p. 386; not allowed in Conn.—Revisions 1839, p. 426, 1849, p. 652, 1866, p. 557, and not till that of 1875, p. 111.

Vermont—Revisions 1825, p. 611, 1840, p. 557, 1850, p. 630, permitted, 1870, p. 645. New Hampshire—Revision 1853, p. 197. New Jersey—Revision 1847, p. 745.

Indiana—Constitution 1816, art. 7, par. 11, Constitution 1851, art. 12, par. 1,—Davis' Supplement, 1870, p. 341.

Ill.—Constitution 1847, art. 8.

Iowa—Constitution 1846, art. 6, and Constitution 1857.

Mich.—Constitution 1850, art. 17—not allowed till Acts 1870.

Wisc.—Rev. Stat. 1858, p. 340.

Minn.—Revision 1858, p. 798.

Nevada—Revision 1873, p. 359.

Kansas—Constitution 1859, art. 7.

Penna.—not till 1872, Purdon's Digest, 1269, Brightley's Purdon, 1040.

States requiring bond precedent to negro's emancipation, or his entry into, or for residence in, them:

Mass.—Revision 1814, p. 745.

New Jersey—Rev. 1847, p. 380.

Ohio—Rev. 1847, p. 593.

Ind.—Rev. 1831, p. 375, const. 1851, art. 13,—standing till 1870, and laws pursuant to it as to settling in State; Rev. 1852, pp. 375-76, not repealed till 1867.

Ills.—Revs. 1829, p. 109, 1833, pp. 357 and 457, 1844, p. 387, Const. 1847, art. 14, Rev. 1858, p. 824. Last Constitution and Revision prohibited absolutely settling of negro or mulatto in the State, under penalty of \$50 fine to be paid, or defendant sold to work it out; this process to be repeated at expiration of each sentence, till negro died or left the State. This and other Ill. laws noted here make rather ludicrous this extract from the *Chicago Tribune* of Dec. 1, 1865—quoted by Garner, *Reconstruction in Miss.*, p. 115: "We tell the white men of Mississippi that the men of the North will convert the State of Mississippi into a frog pond before they will allow any such laws to disgrace one foot of soil in which the bones of our soldiers sleep and over which the flag of freedom waves."

Oregon—Const. 1857, prohibited negroes settling in the State at all.

"In Pennsylvania, New Jersey, Connecticut and Rhode Island, when they were set free, they were not allowed the privilege of selecting homes at all. They were required to remain with their old masters, and serve without pay; those already born when emancipation took place, for life, those born afterwards, from twenty-one years to twenty-eight years. * * * The Legislature of 1865 gave to the freedmen the right to select their own employers, and to receive the wages of their

As to intermarriages between whites and negroes:

Mass.—Revs. 1814, p. 748, 1836, p. 475.

Rhode Island—Revs. 1822, p. 371, 1857, p. 312, 1872, p. 325.

Maine—Revs. 1841, p. 359, 1857, p. 390, 1871, p. 483.

Ohio—Swann & Sayer's Rev. 1868, p. 267.

Ind.—Revs. 1831, pp. 595 and 970, 1852, p. 361.

Ills.—Rev. 1829, continued in that of 1845, p. 353, 1858, p. 579, in force till 1865.

Mich.—Rev. 1850, p. 950, Code 1871, p. 1463.

Nebraska—Rev. 1866, p. 254, Code 1873, p. 462.

Kansas—Stats. 1855, p. 488.

As to apprenticeships:

Rhode Island—Children of former slaves, after slavery was abolished, were continued under control of their owners till twenty-one years of age.

Conn.—Slavery was abolished by declaring free all children to be born of slave mothers, but these children were compelled to serve their mother's owner till twenty-five years of age (see *Geer vs. Huntington*, 2 Root, p. 364, and *Windsor vs. Hartford*, 2 Conn., p. 355.)

Penna.—Slavery abolished by declaring free all children to be born of slave parents,—but requiring them to serve their parents' master till twenty-eight years of age.—Dunlap's Rev., p. 126.

New Jersey—Act 1820 declared free all children born since July 4, 1804, but bound the males to owner till twenty-eight years of age, and females till twenty-one. Rev. 1847, p. 360. In 1846, Rev. 1847, p. 380, slavery was abolished entirely, but every freedman made an apprentice to his master, who could discharge him from service only under most stringent exactions as to his capacity for self-support, or under guarantees for his not becoming a charge upon the county. These requirements extended even to children of these apprentices, who were to be supported by their masters till six years old, and then bound out as poor children,—the former owner in all cases being given the preference. It was this provision—in Southern Statutes—which so aroused Mr. Blaine's indignation. The provisions as to enticing apprentices from masters, and for restoring them, were much the same in all these States,—and generally more stringent than in Mississippi.

Ills.—Slavery prohibited in Constitution under which State came into the Union, but binding out negroes as apprentices was provided for. "Under this Constitution," says General George, "there were many stringent and severe provisions enacted, to secure the rights of the masters to the apprentice, and to his labor, and to enforce the subordination of negroes and mulattoes." In the main, these are contained in Revs. 1833, pp. 457 et seq., and 1858, commencing on p. 815. The Mississippi acts contain nothing so severe as the Illinois Statutes on negroes, in apprenticeship,—as found in Revs. 1845 and 1858.

Ind.—Negroes could not be employed at all, under Const. 1851, art. 13.

As to voting:

Rhode Island—Rev. 1822, p. 89,—Constitution of 1844 allowed only citizens to vote, negroes not then being citizens.

Conn.—Const. 1818, art. 6,—Rev. 1821,—amended const. 1845, Rev. 1849, p. 47, not allowed to vote till 15th amendment.

own labor, only requiring that they should have homes and an employer by a day named.

"Again, the States before named just as effectually prohibited negroes from having real estate as did the legislature of Mississippi; for how could they have real estate, when they were bound to remain with, and serve, their former owners for the terms before stated! But, if it be said that it was harsh to require the freedman, then just eman-

Maine—Const. 1819, art. 2, allowed only citizens to vote.

Penna.—Only whites could vote till 1870.

New Jersey—Const. 1847, art. 2.

Ohio—Const. 1851, art. 5, par. 1 Swann and Critchfield's Rev. 1860, pp. 548-9, Swann and Sayer's Rev. 1868, p. 336, severe provisions against negroes voting.

Ind.—Const. 1816, art. 6, par. 1, Const. 1851 prohibited negro suffrage, and was in force as late as 1870, see art. 2, secs. 2 and 5.

Ills.—Const. 1847, art. 4, par. 1.

Iowa—Const. 1846, art. 2, par. 1,—Const. 1857 prohibited negroes voting, classing them with "idiots, insane, and persons convicted of infamous crimes," art. 2, pars. 1 and 5.

Mich.—not allowed to vote till 1870.

Wisc.—Const. 1848, art. 3.

Minn.—Const. 1857, Indians could vote but not negroes.

Oregon—Const. 1857, art. 2, and not changed till as late as 1872, probably later.

Nebraska—Rev. 1866, p. 145, Const. 1866, art. 2, sec. 2.

Nevada—Const. 1864, art. 2.

Kansas—Const. 1859, art. 5.

As to jurors and witnesses:

Penna.—Brightley's Purdon's Digest, p. 829.

Ohio—Rev. 1841, pp. 592-600, incompetent to testify where white person interested. Laws 1840, p. 27, Swan's Rev. 1854, p. 487,—jurors must be voters, Rev. 1861, p. 751, not competent for jury service, and prohibition continued till 1868, and possibly later.

Ind.—Rev. 1831, p. 404, could not testify for or against white person. Rev. 1843, p. 719, prohibition continued till 1862, probably later. G. & H. Statutes, vol. 2, p. 166.

Iowa—Code 1851, p. 322, not repealed till 1860; could not testify where whites were interested.

Wisconsin—Rev. 1858, p. 655, only white jurors.

Minn.—Rev. 1858, p. 749.

Oregon—Rev. 1872, p. 291, none but white jurors.

Neb.—Rev. 1866, pp. 449 and 509, Code 1873, p. 642.

Kansas—Statutes of 1855, pp. 445 and 765. Rev. 1868, pp. 49, 65, 534.

Ills.—Rev. 1845, pp. 257 and 377, continued in Rev. 1858, and not repealed till 1865.

Sundry discriminating statutes:

Mass.—negroes not allowed to entertain each other socially. Rev. 1814, p. 386, to be punished by whipping for striking a white person, Rev. 1814, p. 748.

Rhode Island—not allowed to keep any sort of public house, individually or as agent for white person, Rev. 1822, pp. 296 and 444.

Ind.—not liable to school tax, but not entitled to benefit of public schools, G. & H. Rev. vol. 1, p. 542, re-enacted 1865, Davis, Supp., p. 440.

Ills.—negro servant "being lazy, disorderly, or guilty of misbehavior to his master," punishable with stripes, and same for refusal to work; liable to his master for all expenses incident to his recapture, if he attempted to escape from his apprenticeship; required to serve two days for every one he refused to work; apprentices punishable with stripes in all cases where free men punishable by fine; Rev. 1833, p.

cipated, to have employment, it will be found that this was much less harsh than the legislation of the Northern States. The truth is, that all white people who had known anything of negro slavery doubted that, when set free, they would voluntarily work and support themselves, and it was feared that pauperism would be largely increased by the emancipation of even a few negroes. Massachusetts prohibited any owner

457, and contained in Revs. 1845 and 1858; public houses not allowed to entertain negroes and mulattoes, Rev. 1845, pp. 154 and 237; negroes to have benefit of only such school taxes as they paid themselves, Rev. 1858, p. 460; see Rev. 1858, p. 418, for peculiarly discriminating punishment for adultery between whites and blacks.

Neb.—schools were for "white youth," Rev. 1866, p. 372, not altered till 1869.

Kansas—negroes excluded from common schools, Statutes 1855, p. 700, and continued till 1868.

Ind.—not only forbid entry into the State, but forbid white persons to encourage those already in State to remain, either by giving them employment or otherwise, Const. 1851, art. 13, sec. 2.

For additional laws see Ill., Rev. 1858, pp. 817-826—Iowa, Code 1851, secs. 1127 and 1160.

Garner makes reference to some vagrancy laws of other States; Wisc., Rev. Statutes 1878, p. 465—N. Y., Rev. Stats. 1881, vol. III, p. 1898—Maine, Rev. Stats. 1871, p. 260—Ind., Rev. Stats. 1881—Mass., Supp. to General Stats., vol. I, 1860-1872, ch. 235, p. 510—Conn., Rev. 1866, ch. 4, p. 642.

Mr. Herbert says (*Atlantic Monthly*, Feb., 1901, p. 152): "These statutes embraced, most of them without material variations, the features of the old law of Maine, brought forward in Rev. Stats. of 1883, sec. 17, p. 925," punishing begging, or "tramping," by imprisonment at hard labor; "and the old law of Rhode Island, brought forward in Rev. Stats. of 1872, p. 243: 'If any servant or apprentice shall depart from the service of his master, or otherwise neglect his duty,' he may be committed to the work-house; and the long existing law of Connecticut, contained in Rev. of 1866, p. 320, punishing by fine or imprisonment one who shall entice 'a minor [apprentice] from the service or employment of such master.'"

As to voting, Mr. Blaine, speaking of determination of his party to enfranchise the negro, says (*Twenty Years of Congress*, vol. II, p. 244): "They were embarrassed, however, in this step by the constantly recurring obstacles presented by the constitutions of a majority of the loyal States. In five New England States suffrage to the colored man was conceded, but in Connecticut only those negroes were allowed to vote who were admitted freedmen prior to 1818. New York permitted a negro to vote after he had been three years a citizen of the State and had been for one year the owner of a freehold worth two hundred and fifty dollars, free of all encumbrances. In every other Northern State none but 'white men' were permitted to vote. Even Kansas * * * at once restricted suffrage to the white man; while Nevada, whose admission to the Union was after the Thirteenth amendment had been passed by Congress, denied suffrage to 'any negro, Chinaman or mulatto.' A still more recent test was applied. The question of admitting the negro to suffrage was submitted to popular vote in Connecticut, Wisconsin and Minnesota in the autumn of 1865, and at the same time in Colorado, when she was forming her constitution, preparatory to seeking admission to the Union. In all four, under control of the Republican party at the time, the proposition was defeated." To one interested in the subject of the status of the negro in the organic laws of the various States, Poore's compilation of State Constitutions will be found invaluable—Government Printing office, 1877.

from emancipating his slave unless bond and security were given that he should not become a charge on the town; stating, as a reason therefore, that 'great charges and inconveniences had accrued to divers towns by the setting free of negro and mulatto slaves.' Ohio, Indiana and Illinois prohibited free negroes and mulattoes from coming into and settling in those States, without such a bond being given; and they imposed heavy penalties on any person who would harbor, employ or give sustenance to such negro. And finally, after many years experience with this class of people, Indiana and Illinois, by constitutional provision, prohibited the removing to and settling within their borders, of free negroes and mulattoes, on any terms whatever.

"Oregon—which was settled almost exclusively by Northern men—likewise, by a similar constitutional provision, prohibited the immigration of free negroes and mulattoes, and deprived all such, so settling in the State, of the power to hold real estate or to make any contracts within the State, or to maintain suits in her courts.

"Rhode Island, more than thirty years after slavery had been abolished there, would not allow licenses to keep a tavern or any kind of public house to be granted to negroes or mulattoes, nor would she allow a negro or mulatto to sell liquor as the agent or employee of a white person.

"It is objected to the legislation of 1865 that the orphan children of deceased freedmen were required to be apprenticed, and that in binding such out, the Court was required to give the preference to the former owner, if found suitable. This provision in the laws of 1865 was much more liberal than similar provisions in Northern States. Connecticut, Rhode Island, Pennsylvania and New Jersey, in their statutes abolishing slavery, provided that the children of living freedmen, not orphans merely, should remain bound to their former owners, till they were twenty-one years old, in some of these States, and till they were twenty-eight in others.

"The Mississippi acts of 1865 required colored apprentices to be taught to read and write, but the Illinois statutes, whilst requiring white apprentices to be taught to read and write and to know arithmetic, provided that colored apprentices should only be taught to read. It is again objected to the legislation of 1865 that our colored friends were unnecessarily degraded by the provision in relation to their being witnesses. This provision allowed them to be witnesses in all cases where colored people were interested; or had been injured, although white people were also interested in the suit or proceeding. This was ample to protect the rights of the colored people in all cases where they had any interest. If any were injured by this exclusion from being witnesses in cases where whites only were interested, it is clear that only the whites themselves were the sufferers. But this law is more liberal than that which obtained in the Northern States for many years after slavery had been abolished there. In Indiana, Illinois, Iowa and Kansas, negroes and mulattoes were not allowed to testify in any case in which a white person was interested, although free negroes and mulattoes were also interested. In many States they were not allowed to serve as jurors. In all the New England States, such qualifications were required and such a mode of selection adopted as almost necessarily excluded all negroes from juries. In Pennsylvania, Ohio, Indiana, Illinois, Wisconsin, Minnesota, Nebraska and Kansas, free negroes and mulattoes were expressly excluded from the jury service, and in all others they were practically so excluded. Free negroes and mulattoes were also excluded from service in the militia, in the following States (reciting dates of exclusion in each): Massachusetts, Connecticut, New Hampshire, Pennsylvania, New Jersey, Vermont, Indiana, Illinois, Iowa, Michigan, Wisconsin, Minnesota, Nevada, and Kansas.

"It is also claimed, as an evidence of the unfriendly feeling of the whites toward the blacks in 1865, that no provision was made for their education. It will be remembered that at that time the State was greatly impoverished, and that no public schools were, or could be, put in operation for any race. The great and pressing necessity of our people then was food and raiment; but even then, as above shown, provision was made more liberal than in the Northern States for the education of apprenticed freedmen. As late as the sixth of March, 1865—the very year in which this legislation was had—Indiana re-enacted a provision which had long been standing on her statute books, that the school taxes should only be collected from whites, and only white children should go to the public schools; and in Illinois the school tax was to be divided between the whites and blacks, by giving to each race what that race paid. Which, considering the poverty, and small number of blacks, was an effectual exclusion of that race from the benefits of education. In Nebraska, the common schools were for whites only, till 1869.

"The police regulations, and provisions against vagrancy, as applied to free negroes and mulattoes, were also more stringent in the Northern States than those contained in the legislation of 1865. In Massachusetts, long after slavery was abolished, negroes and mulattoes were prohibited from entertaining any negro or mulatto servants, i. e., apprentices. In Rhode Island, they were, as before stated, prohibited from keeping any public house of entertainment, or saloon; nor were such persons allowed to keep a disorderly private house, nor entertain at their private dwelling, *'at unseasonable hours, or in an extravagant manner,'* any person whatever, under penalty of having their private housekeeping broken up, and themselves bound out to service for two years. And in Illinois no person was allowed to permit three or more servants of color to meet at his house for the purpose of dancing and revelling.

"Intermarriages between whites on the one side and negroes and mulattoes on the other, were prohibited and made void in most of the Northern States. In Massachusetts, the provision was, that 'no one of the English, Scot, or other Christian Nation, shall intermarry with a negro or mulatto,' and a penalty of two hundred and fifty dollars was imposed on any minister solemnizing such a marriage. In Rhode Island, intermarriages between whites and colored persons were prohibited and made void, and this provision was re-enacted as late as 1872. This provision was re-enacted in Maine, in the revision of 1871. In Ohio, Indiana, Illinois, Michigan, and Nebraska, and probably in other States, such intermarriages were declared void, and these provisions were re-enacted in some of these States since the conclusion of the war. In Indiana and Illinois such intermarriages were so thoroughly condemned that the parties to them were punished by confinement in the penitentiary. And in Illinois they were also punished by whipping, and an officer granting license for such a marriage was made thereafter ineligible to office. In these last two States, as a condition of settling and remaining there, in addition to what has been before set forth, colored persons were required to give bonds, in large penalties, which were to be forfeited upon the least violation of the laws of the State by them.

"As to the right of voting, the laws in the Northern States were equally stringent against persons of the African race. In Rhode Island, Connecticut, Maine, Pennsylvania, New Jersey, Ohio, Indiana, Illinois, Iowa, Michigan, Wisconsin, Oregon, Nebraska, Nevada and Kansas, free negroes and mulattoes were prohibited from voting; and in nearly all of these the provisions remained unchanged until the adoption of the Fifteenth Amendment, in 1870. In many of these the provision excluding negroes and mulattoes from voting remains un-

changed in terms in their present constitutions, and their right to vote in these States rests entirely in the Fifteenth Amendment. It will be noted, too, that in some of these States unnaturalized foreigners, and Indians were allowed to vote, yet the right was denied to persons of African descent, and it will be noted also, that this exclusion obtained in the States where the colored population was so small that if they had been allowed to vote, the exercise of the right by them would have had but little effect on the result of the elections.

"That the right of voting was almost universally considered as belonging almost solely to the whites in the Northern States, up to the adoption of the Fifteenth Amendment, I refer to the proclamations of President Lincoln, dated December, 1863, and July, 1864, and designed to secure a reconstruction of the Southern States, in which suffrage was confined to whites only; and Congress, in the year 1864, passed an act for the same purpose, giving only whites the right to vote.

"And in Mr. Lincoln's proclamation, above referred to, dated December, 1863, this remarkable passage occurs: 'That any provision which may be adopted by such State government (referring to the State governments to be reconstructed in the Southern States, under his proclamation), in relation to the freed people of such State, which shall recognize and declare their permanent freedom, provide for their education, and which may yet be consistent as a temporary arrangement with their present condition as a laboring, landless and homeless class, will not be objected to by the National Executive.'⁶² And in a speech which he made afterwards, on the 11th of April, 1865, at Washington, being the last speech ever made by him, he distinctly admitted that he referred, by this clause to a temporary apprenticeship of freedmen, after their emancipation.

"The war ended in the summer of 1865. The slaves were emancipated, suddenly, without previous preparation. The emancipation was sweeping, including all. Many thousands of the freedmen had abandoned their homes, and had congregated in the cities, and were living on the bounty of the Freedmen's Bureau.

"The State had just been devastated by war. The people were without farming implements and stock, and without the means of buying them. Proper food and raiment were not to be had. A large number of men had just returned from the army, without the means of support, and were without employment. The government over the State was partly civil and partly military, and the bounds of neither were accurately defined and understood. The white people were overwhelmed by the magnitude of the calamity which had befallen them, and the blacks were almost stupefied by the novel circumstances which surrounded them.

"Under these circumstances the white race was called upon to solve the most difficult problem that had ever been presented to the human intellect. The time was unsuited for calm and deliberate action, yet the duty to act was emergent, not admitting of delay. Is it to be wondered that the first effort that was made, though intended only as a temporary arrangement, was a mistake?⁶³ Is it strange, that in groping their way through this darkness, in undertaking to solve this great problem, they fell into the paths which had been trodden by the whites of the North and of England? And is it not now still more strange that having corrected their error in about a year after it was

⁶² Richardson's *Messages and Papers*, vol. VI, p. 214.

⁶³ If General George intended to include in this characterization the labor and vagrancy laws, he had probably not closely studied their operation in the French colonies and British West Indies. This much of Mississippi's legislation was clearly not a "mistake;" the rest, as he notes, was soon repealed.

committed, by a repeal of the most obnoxious provisions, they are now charged with enmity and vindictiveness toward the freedmen, whilst those who, under circumstances far more favorable, acting calmly and in perfect peace, and in their own good time, passed more stringent regulations, and kept them in force for many years, are to be regarded as having acted justly and properly?"

A discussion of Mississippi's conduct in the matter of amending her constitution and framing legislation for freedmen, would manifestly be lacking in an essential particular if it failed to notice her action on the Thirteenth and Fourteenth Amendments. These matters are too intimately correlated to be disassociated in any treatment, at all comprehensive, of either. The same men who enacted the legislation of 1865 and 1866 also declined to ratify either of these amendments when submitted to them. They may not have been subjected to as much abuse for this action as for their laws, but equally as much capital has been sought to be made out of the one as the other. It is an old claim, this, that they had no good reason for their action, but that it was founded in both cases upon nothing higher than hatred of the negro and their inability to reconcile themselves to the idea of his becoming a citizen. The real grounds of their objection have not received such wide currency as those alleged by men ever seeking an excuse in Southern political conduct for the inexcusable in their own.

In Governor Humphreys' message submitting the proposed Article XIII., he advised the ratification of the first section, abolishing slavery, and the rejection of the second, the enforcing section. His message was referred to the Committee on State and Federal Relations, and the report of that committee was prepared by Hon. H. F. Simrall, later a distinguished Justice of the State Supreme Court. The report follows, in part:

"The first and main section of the Article has already been adopted by Mississippi, in so far as her territory and people are concerned. It was substantially, and almost in terms, incorporated into the State Constitution by the late Convention. Nor is it possible for the State, by any act or in any mode, conventional or otherwise, to change the status fixed by the Convention. * * * * * The late constitutional amendment was adopted in perfect good faith. The people have accepted it, and will adhere to it, in the like spirit. * * * * * The adoption of the proposed amendment, as Article XIII., can have no practical operation in the State of Mississippi. The absolute freedom of the African race is already assured here. It is an accomplished fact.

"The second section is subject to most grave objections. It confers on Congress the power to enforce the article by 'appropriate legisla-

tion.' Slavery having already been abolished, there is really no necessity for this section, nor can the committee anticipate any practical good that can result from its adoption. On the contrary, it seems to be fraught with evils which the Legislature and the people of Mississippi are most anxious to guard against * * * * * It is the anxious desire of the people of Mississippi to withdraw the negro race from State and National politics; to quiet forever all subjects and questions connected with it, and, so far as forecast and precaution can do so, to forestall and prevent the outbreak of agitation hereafter. The committee cannot anticipate what construction future congresses may put on this section. It may be claimed that it would be 'appropriate' for Congress to legislate in reference to freedmen in the State. May not the harmony of the country be interrupted and disturbed by the efforts of a political party to interfere in the domestic polity of the State on the pretext that its legislation trenched on the freedom of a certain class of its population, and therefore it ought to be revised and corrected by Congress.

"This committee can hardly conceive of a more dangerous grant of power than one which by construction might admit Federal legislation in respect to persons, denizens and inhabitants of the State. * * * * * Mississippi cannot give her deliberate consent to leave open any question from which agitation can arise, calculated to disturb the harmony so happily being restored among the States and the people. * * * * * It is the common interest of the people in all quarters of the Union, now that the vexed questions connected with the negro race are all merged and settled in liberation, that * * * * * the door be * * * * * closed against future agitation and disturbance from this cause. * * * * * The tendency of the section is to absorb in the Federal Government the reserved rights of the States and people, to unsettle the equilibrium of the States in the Union, and to break down the efficient authority and sovereignty of the State over its internal and domestic affairs. In any aspect of the subject this section is unproductive of good, and may be fruitful of most serious evils. Connected as the first section of the proposed Article is with the second, and both being included in the same Article as an amendment to the Constitution, and a ratification of the first, and a rejection of the second, being as your committee think, inappropriate, and of non-effect:

*Resolved therefore, by the Legislature of the State of Mississippi, That it refuses to ratify the proposed amendment to the Constitution of the United States."*⁶⁴

In considering these two amendments, Mississippi had two courses open before her: She could act in unquestioning compliance with the demands so clearly visible behind the formal requests from Congress for her judgment upon these proposed articles, to the stultification of her historic attitude on the vital question of the reserved rights of the State—having abandoned forever any attempt to exercise that of withdrawal from the Federal compact, the only one involved in and determined by the war—or she could, in the exercise of her sovereignty as a State in the Union of which she was declared to be still a part, put away from her every consideration of servile expediency,

⁶⁴ *Laws of 1865, pp. 270, et seq.*

and record her solemn and deliberate conviction upon the wisdom of so grave a proposition as altering the organic law of that Union. Whether wisely or unwisely, she chose without hesitation, the latter course.

Governor Humphreys submitted the proposed Fourteenth Article to the session of 1866, in a message in which he said: "Our people are wearied of war, its desolation, its vandalism. They have returned to their allegiance to the Constitution of the United States. They now seek for peace, its quiet and security, by submission to its power." He declared the proposed amendment to be: "* * such a gross usurpation of the rights of the State, and such a centralization of power in the Federal Government, that, I presume, a mere reading of it will cause its rejection by you."

The report on which the action of the Legislature was based was the work of the same distinguished gentleman who had prepared that on the former amendment. A careful study of this profound disquisition on the Federal Constitution, of which only a few arguments are presented here, will rank it among the ablest papers of its kind ever prepared in America. Says the report:

"History has taught how exceedingly difficult it is to establish any form of government and definitely settle its powers. The interests to be subserved by it are susceptible of almost infinite modifications. These should, as far as practicable, be reconciled and harmonized. It may not be prudent to venture on the untried experiment of improvement, from the mere suggestions of theory. Unless defects have been clearly discovered which retard or impair the beneficial operation of the government, or which endanger its purity and integrity, it were wise to let the Constitution alone. * * * * * The civil war has closed with two facts indisputably established, universally accepted and recognized by the people of the South. First, that slavery is forever abolished. Second, that the Federal Union is indissoluble. The State Convention of 1865 so declared. * * * The people, in the highest form in which they can exert sovereign power, have declared that slavery does not, and shall not hereafter exist, and that the secession ordinance is null and void."

Declaring that both these matters—slavery and the right of secession—had reached a complete and final adjustment, he said that they carried with them a determination "of all and everything that has been in dispute between the sections."

"The committee see nothing in the intrinsic merits of the proposed amendment, in the manner of its adoption by Congress, or in the circumstances that environ the State of Mississippi, that commends its ratification. Every important amendment paves the way for future

changes. Prior to our late troubles, all the amendments made to the Federal Constitution were of the nature of limitations and restrictions on power. The one proposed is so comprehensive, touching so many points, and including so many subjects that have heretofore belonged exclusively to State cognizance, that, for a long time, there must be embarrassment, confusion and interference between the Federal and State jurisdictions. It is recommended as a cure for present distempers. The good which its friends are assured it will bring, may all turn to ashes in practice, and, instead of remedying grievances, it may entail on the country a long train of evils. * * * * *

This amendment would disturb to a degree which no jurist can foresee, the established relations between the State and Federal courts.

* * * It confers on Congress large and undefined power, at the expense of the reserved rights of the State. It transfers to the United States a criminal and police regulation over the inhabitants of the States, touching matters purely domestic. It intervenes between the State government and its inhabitants, on the assumption that there is an alienation of interest and sentiment between certain portions of the population, and that such intervention is for the benefit of one class against the other. It tends to create distrust and jealousy between the white and black races, and perpetually to disturb and keep alive these evil passions. It invites appeal from the domestic to the Federal judiciary, on questions arising on local law, on the predicate that the State courts will not deal between the parties with fairness or impartiality. It inculcates in the colored population a distrust of State law and authority for the protection of person and property, and [a tendency] to regard both as alien and inimical—and constantly to require the legislative and judicial corrective of the Federal power. The amendment introduces new rules, or attempts to enforce them on the States, in regard to citizenship and the elective franchise. * *

* * * It is obvious that the object is to compel the Southern States to accept negro suffrage, on pain of the reduction of their representation in Congress and the Electoral College. * * * * * The franchise of voting is not a natural right. In no age or country has suffrage been universal. * * * * * When the scheme of government is so contrived that ultimate power is with the people, * * * especial care should be taken that the voting class should not be swollen by sudden and large infusions of ignorance and prejudice. It cannot be pretended that the lately enfranchised blacks are, as a body, either morally or intellectually entitled to vote. * * * * *

Judge Simrall, in discussing the Fourth section, which disfranchised certain classes connected with the Confederacy, and reciting the fact of the pardon of so many of these by the President, entered at length into the nature and effect of the executive pardon. Showing that these men had been thus restored "to the precise status they bore towards the United States before the crminating acts were done," he says:

"These citizens would not be convicted by the courts. To reach them by a *bill of attainder* or *ex post facto* law, is beyond the power of Congress. The problem is yet unsolved, whether they may not be *punished* by a Constitutional Amendment."

He discussed at length, and most exhaustively, the numerous Executive and legislative acts which, during the war, had uni-

formly regarded the Southern States as incontrovertibly members of the Union, and reviewed the mode prescribed by the Constitution for its amendment. He demonstrated the impossibility of the passage by Congress of an amendment, in conformity with the constitutional requirement, with the Southern States excluded; on the simple ground, of course, that there were not the required two-thirds of the people and States represented in the House of Representatives and Senate, respectively.

Contending that the result of the war, of itself, worked the preservation of the Union of the States, he declared:

"It is impossible, in our complex system, that a State can occupy a middle ground. It is revolutionary, subversive of fundamental principles, that a State may be in the Union for some purposes, and out of it for others. That she may, through her legislature, ratify an amendment to the Constitution, and at the same time be excluded from the consideration and vote on the amendment in Congress. * * * * *

"To deny to the State representation, * * * * * and at the same time to levy on her people direct taxes, which can only be apportioned on the representative basis, * * * is to hold the State and people under the disabilities of conquered territory.

* * * * *

"The assumption that twenty-five States can govern the other eleven, in a mode different from that prescribed in the Constitution, is nothing more nor less than a subversion of the Constitution and the Union created by it. * * * * *

"The Senate and House are, respectively, the judges of the election and qualification of their respective members. The inquiry is limited to each individual applicant for a seat. What the qualifications are, are plainly written in the Constitution. If the Congress can go outside of the Constitutional rule, and exclude an entire State delegation, because of their political opinions, or those of their constituents, then a majority in Congress may perpetuate its faction or party in power, by shutting the doors of Congress on all who do not agree with it."⁶⁵

Because of the vituperation heaped upon Mississippi for this action, because it has been charged that it was merely in consonance with her previous course of "ineffable folly," and to have been expected of such men as composed her convention and Legislature in 1865, these extracts have been made as full as they are. Mr. Blaine says that this action "was scarcely less mad than the madness of secession," and that "it is difficult, in deliberately weighing all the pertinent incidents and circumstances, to discover any motive which could, even to their own distorted view, justify the position they had so rashly taken." He applies this to the entire South. His favorite mode of referring to this grave action is to speak of it as a "contemptu-

⁶⁵ House Journal, 1866-67, Appendix, pp. 77 *et. seq.*

ous rejection." Not satisfied with heaping upon these legislatures all the varied forms of abuse which his ready wit devised, he stoops, even beneath himself, to charge them by implication with cowardice as well as folly. He says, "It was naturally inferred and was subsequently proved, that *the Southern States would not have dared to take this hostile attitude* except with the encouragement and the unqualified support of the President."

With even this fragmentary exposition before us, of the faith which was within these men, of the reasons moving their steps, how undignified, how shallow, how unworthy even its author, becomes this charge, fit only to be preferred against the "deals" which might influence such transactions as the altering of a village ordinance.

What, then, is the relation which these actions—as part of the general conduct of the South at large—bore to the reconstruction acts and the last two amendments? Can the Congressional legislation which converted a great section of country into a military satrapy, can the radical and unconstitutional changes in the organic law, which, for the accomplishment of the low aim of perpetuating political power, would wreck the society and arrest the progress of the civilization of that section; can these things be fairly traced, in any part, to the acts of Mississippi's Constitutional Convention and Legislature of 1865?

Mr. Blaine has told the world that this relation was nothing less than that of cause and effect; that but for the one, the other would not have been.

But even Blaine's exceptionally able combination of sophistry and logic is unequal to the task of evoking harmony from the double claim that the South brought all her woes upon herself, while endeavoring at the same time to establish his party's claim to the negro's gratitude for making him a citizen and a voter. Speaking of the reconstruction acts, under which it was so arranged that, through the disfranchisement of white men and the enfranchisement of black, the Republican leaders could force through Southern Legislatures any action necessary to their purposes, he says:

"It was the most vigorous and determined action ever taken by Congress in time of peace. * * * It changed the political history of the United States. But it is well to remember that it never could have

been accomplished except for the conduct of the Southern leaders. The people of the States affected have always preferred as their chief grievance against the Republican party, that negro suffrage was imposed upon them as a condition to their re-admission to representation; but this recital of the facts in their proper sequence shows that the South deliberately and wittingly brought it upon themselves."

His reference here is to the rejection of the Fourteenth Amendment, and her general legislative conduct. To quote again:

"If, therefore, suffrage was prematurely granted to the negro; if, in consequence, harm came to the Southern States; if hardship was inflicted upon Southern people, the responsibility for it cannot be justly laid upon Northern sentiment or upon the Republican party."

Really, a stranger to the facts might well imagine the ship of State to have been manned, during the stormy five years following the war, solely by a Southern crew, with "the pirate of the Alabama" himself at the helm! But what of the record?

Let us collate a few, but a very few, of Mr. Blaine's own expressions on the subject, with such utterances from other leaders as he has seen fit to use. To return to the very beginning of Johnson's reconstruction plan, and glance at the reason for its disfavor with the dominant power and section—before any conventions had been held, prior to the assembling of the first Legislature. We are told:

"It soon became evident⁶⁶ that President Johnson realized how completely he had excluded men of the colored race from any share of political power in the Southern States by his process of reconstruction."

It was at this time that Mr. Johnson, from the very storm centre of partisan politics, aware of every intention of the radical leaders, had written Governor Sharkey that the radicals were even then "wild upon negro franchise." This was the time when Judge Yerger, from personal discussion and observation at the National Capital, was able to outline the provisions and demands and conditions of the already matured plan of reconstruction, which the radicals were to force through at the opportune moment, and to do it so closely as to exactly parallel Stevens' bill, even to the clause which was finally modified—that making the military governments of indefinite duration. Even then Judge Potter felt the very atmosphere to be laden

⁶⁶ Mr. Blaine's assertions as to the absence of Northern sentiment, and his disclaimer of Republican responsibility, must be borne in mind.

with the demand for negro suffrage, for "equal political rights to the blacks." And all this was early in 1865.

Mr. Blaine continues:

"It is true that he stood loyally by the Thirteenth Amendment. * * * But he saw, *as others had seen before him*, that *this was not going far enough to satisfy the reasonable desire of many in the North* whom he felt it necessary to conciliate. To emancipate the negro and concede to him no possible power wherewith to protect his freedom would, *in the judgment of many Northern philanthropists*, prove the merest mockery of justice."

Keeping in mind the objects sought to be accomplished through the Lincoln-Seward-Johnson emancipation policy, let us again follow Mr. Blaine:

"The President seemed to have no comprehension of the fact that with inconsiderable exceptions *the entire party was composed of Radicals*, men who in aim and sympathy were hostile to the purposes indicated by his policy. * * * The radicalism to which he now contemptuously indicated his opposition was that which looked to *the broadening of human rights*, to philanthropy, to charity and to good deeds."

And again he says:

"The truth was that the Republicans of the North, constituting, as was shown by the elections of 1865, a majority in every State, were deeply concerned as to the fate and fortune of the colored population of the South."

He insisted, however, that,

"Only a minority of Republicans were ready to demand suffrage for those who had been recently emancipated, and who, from the ignorance peculiar to servitude, were *presumably unfit to be intrusted with the elective franchise*."

It would appear to the casual reader that, even if there were no Northern sentiment favorable to this movement, here might be found a fair foundation for building upon. Even Mr. Blaine, at this time, 1865, seems to have thought of the possibility of such a thing—though, it seems, according to his statement, that nothing came of it—that the seeds failed to bring forth their fruit:

"The minority, however, was composed of very earnest men of the same type as those who originally created and combined the anti-slavery sentiment of the country, and who now espoused the right of the negro to equality before the law. Equality, they believed, could neither be conferred nor maintained unless the negro were invested with the badge of American manhood—the right to vote—a *right which they were determined to guarantee as firmly to the colored man as it was already guaranteed to the white man*."

He claims that the Republican masses were not then prepared to go to this extreme, but he accounts for it easily:

"That privilege was, indeed, still denied him in a majority of the loyal States, and it seemed illogical and unwarrantable, to expect a more advanced philanthropy, a higher sense of justice, from the South than had been yet attained by the North."

It is well enough to note this, for we shall presently see how readily and easily were these trifling scruples disposed of.

As early as February, 1865, Mr. Sumner declared that "the cause of human rights and of the Union needs the ballots as well as the muskets of colored men." How comes it that the Southern Legislatures brought upon their States the horrors of reconstruction according to the Stevens-Morton plan, when Mr. Stevens had, in December, 1865, already given utterance to the sentiments which dominated every feature of that plan? In the speech with which he opened the Reconstruction debate, he laid down the principles to which his associates afterwards subscribed. These were simple enough:

"The future condition of the conquered power depends on the will of the conqueror. They must come in as *new States* or remain as conquered provinces;" the coming in was to be on such terms, too, and with such regulations of suffrage, as would "*secure perpetual ascendancy to the party of the Union.*"

As Mr. Herbert says, Stevens had already declared that, "Congress would take no account of the aggregation of white-washed rebels who, without any legal authority, have assembled in the capitals of the late rebel States and simulated legislative bodies." This was the idea, and it was followed to the letter; Congress "took no account" of Mississippi's acts, legislative, executive or judicial, and what she did had about the same effect on reconstruction legislation as an appeal to reason would have had upon the Radical minds of that time when judgment truly had fled to brutish beasts.

To again quote Mr. Sumner:

"Nothing is clearer than the absolute necessity for suffrage for *all colored persons in the disorganized States.*"

This was the program: there was to be no half-hearted, half-way business, when once the dance of death was fairly started.

"*It will not be enough if you give it to those who read and write; you will not in this way acquire the voting force which you need there for the protecting of Unionists, whether black or white. You will not secure the new allies who are essential to the National cause.*"

In this connection Mr. Herbert has called attention to a fact now seldom adverted to; the popular discussion, from the stump and rostrum, of these measures by Radical leaders. Says he:

"In the spring of 1865, the *New York Tribune*, while contending that the negro was entitled to the ballot, was urging the unwisdom of taking issue with a Republican President who had at hand all the patronage of the government. When, however, the 4th of July, the national anniversary, had come, orations were made by such leaders as Boutwell in Massachusetts, Garfield in Ohio, and Julian in Indiana, advocating broadly negro suffrage for the late Confederate States,—and this before a single State convention had assembled under Johnson's reconstruction proclamations."⁶⁷

Touching Mr. Blaine's disclaimer as to responsibility and sentiment, there is other testimony which should be introduced. It emanates from no less a personage than Henry Wilson, Senator from Massachusetts, and Vice-President of the United States. Speaking of the joint resolution introduced by Mr. Stevens, from the reconstruction committee, which became, with some alterations, Article XIV. of the Constitution, Mr. Wilson says:

"The measure now proposed by Mr. Stevens was far from satisfactory to either the mover or those he represented. For it has since transpired that another plan had been submitted to him and others by Robert Dale Owen, who, though not a member of Congress, was, as chairman of a government commission in 1863, to inquire into the condition of the freedmen, prepared to speak with some knowledge upon the subject. This plan had received Mr. Stevens' assent and earnest advocacy, and had been adopted by the Committee on Reconstruction."

It was not reported for the reasons to follow. This plan, advocated, and actually adopted, by the committee in whose keeping, as Mr. Blaine says, were "in an especial degree the fortunes of the Republican party," provided that no discrimination should be made by a State, "as to the civil rights of persons, because of race, color or previous condition of servitude," and that after July 4, 1876, none should be made "as to the enjoyment of the right of suffrage." This, let it be remembered, was early in 1866, and was the formal adoption of a plan matured long prior to that time. Mr. Wilson dwells particularly upon its suffrage feature, thus early determined upon, and says:

"The main significance of this plan and its importance as a matter of history lie in the facts that it at first commanded the support of the Committee on Reconstruction, though it was afterward rejected, with

⁶⁷ *Atlantic Monthly*, Feb., 1901.

the reasons given for that final rejection. The latter, according to the testimony of Mr. Stevens to its author, were that caucuses of the Republican members of the States of New York, Illinois and Indiana, had decided that, for fear of its influence upon the pending elections, it would not be safe to incorporate into the *avowed* policy of the party the idea of negro suffrage, even prospectively, at the end of ten years, and the fact that the committee so far yielded to the clamor as to reconsider its action, and submit the article as reported, hastily drawn up, *and so far defective* and so far inferior to that it rejected *as to render necessary the subsequent adoption of the Fifteenth Amendment*. So fearful, not to say cowardly, were even Republicans of that day, *so faintly did they discern the issues of the war, and the necessities of the situation*, and so afraid, in the slang parlance employed on the occasion, were they of the 'nigger in the wood-pile.'"

But Mr. Wilson was needlessly severe. It was early yet, and "the issues of the war" were soon discerned, "the necessities of the situation" soon realized, the fear soon overcome. He should have considered, as we have seen that Mr. Blaine did, the fact that those States did not yet care to experiment with negro suffrage upon themselves, either at once or prospectively, when its effects could be observed with so much more safety by first trying it on the South; especially since it might require an autopsy to fully determine its operation.

Discussing, a little further on, the Fifteenth Amendment, we have this candid deliverance:

"It should be premised and it may be appropriately mentioned in this connection *that from the first* the thought of negro suffrage, as one of the logical results of the Rebellion, was entertained."

Quoting the language of Mr. Boutwell, Mr. Wilson throws some additional light upon the matter of "Northern sentiment:"

"* * * *if this country is true to itself it will rise in the majesty of its strength and maintain a policy, here and everywhere, by which the rights of the colored people shall be secured through their own power,—in peace the ballot, in war the bayonet."⁶³

It may be mentioned that Mr. Schurz also, in his report on Southern conditions, prepared in the winter of 1865-6, recommended that the negro be "endowed with a certain measure of political power," saying that, considering "the security of human rights in the South," and other things, "the objections raised upon the ground of the ignorance of the freedmen become unimportant."

To return to Mr. Blaine. After reviewing the reports and

⁶³ *Rise and Fall of the Slave Power in America*, vol. III. pp. 650-652, 662-664.

measures emanating from the reconstruction committee, and the discussions, pro and con, he says, speaking of "the great majority of Northern people," that "the average judgment approved the sharply defined and stringent policy of Congress as set forth by Mr. Stevens."

Upon this "stringent policy" the Republican party went before the country in 1866. Among the features of the campaign, as indicative, it is to be presumed, of "Northern sentiment," was the convention of "citizen soldiers and sailors." From the Radical standpoint its action left nothing to be desired. Of Mr. Johnson it declared:

"His attempt to fasten his scheme of reconstruction upon the country is as dangerous as it is unwise; his acts in sustaining it have retarded the restoration of peace and unity; they have converted conquered rebels into impudent claimants to rights which they have forfeited and to places which they have desecrated."

Every utterance of the leaders in Congress was fully endorsed, and Mr. Blaine says that the convention's action was "most influential upon public opinion."

He also says:

"There was an unmistakeable manifestation throughout the whole political canvass of 1866, by the more advanced section of the Republican party, in favor of demanding impartial suffrage as the basis of reconstruction in the South. It came from the people rather than from the political leaders."

"A large number of thinking people," he says, "* * * could not see how * * * the Republican party could refrain from calling to its aid the only large mass of persons in the South whose loyalty could be implicitly trusted."

This and the expressions discussed above, were all occurrences of the years 1865 and 1866—many being merely the utterance of convictions and determinations reached prior, even, to the first named year. The Fourteenth Amendment was not submitted to the South until the latter part of 1866. Yet, with all this before us, we are complacently informed, touching negro suffrage, "that the South deliberately and wittingly brought it upon themselves," that "*the original difficulty* was the rejection of the Fourteenth Amendment by the South;" that it "cannot be justly laid upon Northern sentiment or upon the Republican party."

Not satisfied with the stultifying exhibit already made, he further enlarges it by quoting his own remarks on the military reconstruction bill of 1867, the first act of a Congress whose

course; he says, "was firm to the point of severity." He said that he believed

"The true interpretation of the election of 1866 was that, in addition to the proposed constitutional amendment, impartial suffrage should be the basis of reconstruction. Why not declare it so? Why not, when you send out this military police through the lately rebellious States, send with it that impressive declaration?"

Garfield himself, in the same debate, declared that it had been known at the previous session that "if the Republican party lived, it must live by the strength of the Constitutional amendment." As if to conclude for all time any question as to the significance of the election, Blaine adds the declaration that

"The Republican victory of 1866 led to the incorporation of impartial suffrage in the reconstruction laws."⁶⁹

With what followed the application of the reconstruction acts of 1867, we have no concern here; but it is proper to bring into view a single act of the Republican party in the year following. This, because of its bearing upon the attitude of certain Northern States, and of the dominant political party of the Union, upon a once perplexing phase of the negro suffrage program.

It will be recalled that Mr. Blaine has more than once adverted to the embarrassment of his party on the question of negro suffrage, by reason of the fact of its denial in the constitutions of a "majority of the loyal States." We have also been afforded, by Mr. Wilson, a glance at the troubles arising from this "loyal State" inhibition. The matter being one of purely partisan advantage—except, possibly, in the case of a few idealists of the Sumner type—the question was presented as one demanding a "practical" solution. Congress having usurped the power of regulating the franchise in the Southern States, and the Fifteenth Amendment not yet having been proposed, a very simple expedient for avoiding the difficulty was determined upon.

The highest authority known to the American party system is the National Convention. This question, then, came naturally before that of the Republican party at Chicago, May 20, 1868; and the assembled judgment of that party, speaking its de-

⁶⁹ *Twenty Years of Congress*, vol. II, pp. 80, 82, 92, 128, 150, 192, 232, 243, 244, 256, 259, 262, 264, 412.

liberate conviction of justice and of right upon this proposition, thus recorded itself, in the second section of the declaration of its principles:

"The guarantee by Congress of equal suffrage to all loyal men at the South was demanded by every consideration of public safety, of gratitude and of justice, *and must be maintained*; while the question of suffrage *in all the loyal States properly belongs to the people of those States.*"

To do justice to this brazen exhibition of the real impelling force behind a policy so long pursued under the guise of high impulse and broad political philanthropy, this crowning revelation of vindictive malignity, it may answer to paraphrase Mr. Blaine's characterization of Mississippi's "black code," and say that it was altogether a shameless proclamation of indecent wrong on the part of the Republican party, and to invoke the aid of John A. Logan's diatribe on Andrew Johnson, in declaring that the world in after times will read the history of this act as an illustration of the depth to which political turpitude can descend.

What then becomes of the allegation of cause and effect, as indicating the relation between Mississippi's actions, and the South's, and the reconstruction acts and war amendments?

Where is the necessity for further testimony? The amount of evidence available depends merely upon the patience of him who seeks it, and it were an idle pastime to pile proof upon demonstration.

Let the last word be spoken by the most competent authority now alive—a Northern Republican—one who was a very part of the work of reconstruction, as the head of a State undergoing its process—Governor Daniel H. Chamberlain:

"The white South was helpless. The black South was equal to all the needs of the hour; ignorant, to be sure, but loyal; inexperienced, but with the ballot as its teacher and inspiration, capable of assuring good government. Hardly anywhere else in recorded debates can be found so surprising a revelation of the blindness of partisan zeal as these discussions disclose. (The debates on reconstruction.) But it may now be clear to all, as it was then clear to some, that underneath all the avowed motives and all the open arguments lay a deeper cause than all others,—the will and determination to secure party ascendancy and control at the South and in the nation through the negro vote. If this is a hard saying, let anyone now ask himself, or ask the public, if it is possibly credible that the reconstruction acts would have been passed if the negro vote had been believed to be Democratic."⁷⁰

⁷⁰ *Atlantic Monthly*, April, 1901, pp. 473-4.

And yet there are not wanting, at this late day, American publicists, and some even of the South, to declare that the Southern States could have altered the course of events—that in that time Mississippi did not wisely play her part. Why longer attempt to perpetrate upon history so barefaced a fraud?

In pleading for negro suffrage Mr. Sumner had declared his belief in "equality as the God-given birthright of all men," saying, that "If this be an error it is an error which I love." Upon the altar of his devotion to this error he hesitated not to risk the sacrifice of millions of his countrymen. But his associates in this error—and with them it was not an error, but rather a deliberate crime—are denied even the excuse of being idealists. They were men of practical mind, and in considering their course we see to what desperate measures lust for power may lead. The stake for which they played was high, 'tis true, and in those times cupidity held within her own revenge's helping hand; but the men with whom they had to deal were white men like themselves, and it would seem that the reflection of a passing hour must have shown them how desperate was their venture.

They had ample warning from the South herself, for the President had told them that of all the dangers yet encountered by the Nation none were equal to those "which must result from the success of the effort now making to Africanize the half of our country." He said:

"We must not delude ourselves. It will require a strong standing army, and probably more than two hundred millions per annum, to maintain the supremacy of negro governments after they are established."

But from such a source only treason could spring, and so the work went on.

To such an attempt it had been ordained in the very creation of mankind that there should ever be but a single end. That end was inevitable, and in due time it came, and in its wake have followed, "not only peace, but peace with harmony and prosperity, as extended as the Republic."

It has been said of the accomplishment of the results which

followed this radical folly, by one never charged with friendship for the South,⁷¹ that

"It was a magnificent sentiment that underlay it all,—an unfaltering determination, an invincible defiance to all that had the seeming of compulsion or tyranny. One cannot but regard with pride and sympathy the indomitable men, who, being conquered in war, yet resisted every effort of the conqueror to change their laws, their customs, or even the *personnel* of their ruling class; and this, too, not only with unyielding stubbornness, but with success. One cannot but admire the arrogant boldness with which they charged the nation which had overpowered them—even in the teeth of her legislators—with perfidy, malice, and a spirit of unworthy and contemptible revenge."

It should not be forgotten that what we have to-day we owe to these men. This generation owes it to them that their courage, their sufferings and their achievements should sometimes be recalled; for our society, our peace, our happiness, our very civilization itself, are but monuments to their heroic deeds. Nor can we more greatly honor ourselves than by honoring the men who wrought these things; for in their high resolve that this land which their fathers had given them, and upon which had been freely poured the libation of their blood, that this land should again be theirs and their children's forever, they were not deterred by threats, nor force, nor violence, nor the might of armed power, nor by the form and letter of procured organic law.

⁷¹ Judge Albion W. Tourgee

ORIGIN AND LOCATION OF MILLSAPS COLLEGE.

By W. B. MURRAH.¹

Millsaps College, located in Jackson, Mississippi, is the property of the Methodist Episcopal Church South. It is owned and controlled jointly by the Mississippi and North Mississippi Conferences. It was established under a charter issued by the Mississippi Legislature in the year 1890. The terms of the charter prescribe that the incorporators "may accept donations of real and personal property for the benefit of the college hereafter to be established by them, and contributions of money or negotiable securities of every kind in aid of the endowment of such college, and may confer degrees, and give certificates of scholarship and do and perform all other acts for the benefit of said institution and the promotion of its welfare that are not repugnant to the constitution and laws of this State or of the United States, subject, however, to the approval of the said two Conferences." The College has its remote origin in the general policy of the Methodist Church to maintain institutions under its own control for higher learning in the Arts and Sciences as well as for the special training of young ministers.

At the annual session of the Mississippi Conference in the city of Vicksburg on December the 7th, in the year 1888, the following resolutions were adopted by a large majority of the Conference:

¹ Rev. William Belton Murrah was born at Pickensville, Ala., in 1852. In 1874 he graduated at the Southern University, Greensboro, Ala. The degree of D. D. was conferred upon him by Centenary College, Jackson, La., in 1887, and the degree of LL. D. by Wofford College, South Carolina, in 1897. He joined the North Mississippi Conference of the M. E. Church, South, in 1876, and was stationed successively at Oxford, Winona, and Aberdeen. From 1886-'90 he was vice-president of Whitworth College, Brookhaven, Miss. When Millsaps College, at Jackson, Miss., was established, Dr. Murrah was made president of that institution, which position he still holds.

Dr. Murrah has been a representative of his church in all the important councils since 1890, having just returned from an ecumenical conference held at London, England. His publications include popular addresses, lectures, sermons and contributions to religious periodicals. A sketch of his life will be found in *Who's Who in America* (1901-1902), page 817.—EDITOR.

"1. That a college for males under the auspices and control of the Methodist Episcopal Church, South, ought to be established at some central and accessible point in the State of Mississippi.

"2. That the committee of three laymen and three preachers be appointed to confer with a like committee to be appointed by the North Mississippi Conference to formulate plans and to receive offers of donations of lands, buildings or money for that purpose, and to report to the next session of that conference."

In accordance with this action the president of the Conference, Bishop R. K. Hargrove, appointed the following committee: Rev. T. L. Mellen, Rev. W. C. Black, Rev. A. F. Watkins, Major R. W. Millsaps, Col. W. L. Nugent and Dr. Luther Sexton.

On December the 12th, 1888, the North Mississippi Conference met in Starkville Miss., Bishop C. B. Galloway presiding. The Rev. T. L. Mellen appeared and reported the action taken by the Mississippi Conference. The following transcript from the *North Mississippi Conference Journal* gives the response made by that body.

"Resolved, 1. That a college for the education of boys and young men should be established in the State of Mississippi under the auspices of the Methodist Episcopal Church, South.

"2. That a committee of three laymen and three ministers be appointed to confer with a like committee already appointed by the Mississippi Conference."

The following committee was accordingly appointed: Rev. J. J. Wheat, Rev. S. M. Thames, Rev. T. J. Newell, Hon. G. D. Shands, Capt. D. L. Sweatman and Mr. J. B. Streater.

To the action of these Conferences we may trace the direct origin of the College.

The joint commission constituted by the action summarized above met in the city of Jackson in January, 1889. The Rev. Dr. J. J. Wheat was called to the chair. In stating the purpose of the meeting, he made a stirring appeal in behalf of the proposition to establish a Methodist College in Mississippi for the education of young men. In response to this earnest appeal Major R. W. Millsaps, a member of the commission, proposed to give \$50,000 to endow the institution provided the Methodists of Mississippi would give a sum equal to this amount for said purpose. This proposition was enthusiastically approved, and after a plan of procedure was adopted, Bishop Chas. B. Galloway was invited to conduct a campaign in the interest of the proposed endowment fund.

Under the direction of this distinguished leader, the most gratifying progress was reported from time to time. The report submitted to the Conferences by the committee in December, 1899, refers to the movement in the following language: "The canvass, on account of the numerous necessitated absences of Bishop Galloway from the State, could not be continuously carried on, but even the partial canvass made, embracing not more than one-fifth of our territory, resulted in the most gratifying and encouraging success. The interest awakened in the enterprise has extended beyond the limits of our own Church and is felt by every denomination of Christians, and by every section of the State. It is safe to say that no effort of Methodism has ever kindled such enthusiasm in our State or evoked such liberal offerings to the Lord. The fact has been demonstrated that the Church is profoundly convinced that the College is an absolute necessity." The report continues: "So high is the appreciation of the value of the proposed institution, that numerous towns in the State have entered into earnest competition to secure the location of the College within the limits of their respective borders, offering from \$10,000 to \$36,000, and from twenty to eighty acres of land." In December, 1889, the Rev. A. F. Watkins, a member of the Mississippi Conference, was appointed a special agent to coöperate with Bishop Galloway in all matters pertaining to the endowment of the proposed College. As the work of raising the sum designated in the original proposition progressed and \$25,000 had been collected, Maj. Millsaps, in the year 1890, paid \$25,000 into the College treasury.

In December, 1892, the Rev. J. W. Chambers was appointed agent for the College and on December 30th, 1893, he reported that the full amount had been collected to meet the terms of Maj. Millsaps's proposition, and thereupon \$25,000 were immediately paid by Maj. Millsaps to the Executive Committee, and the following resolution was adopted:

"Resolved. That the Executive Committee return our most heartfelt thanks to Maj. R. W. Millsaps for his second gift of \$25,000, this day turned over to us. For his princely liberality and unfaltering interest in the great enterprise so happily and successfully inaugurated Church and State owe him a large debt of gratitude."

The Conferences having provided for a Board of Trustees, the joint commission dissolved in January, 1890. This Board,

to which was referred the matter of organizing the College, was composed of the following gentlemen:

Bishop Chas. B. Galloway, President.

Rev. J. J. Wheat, D. D.	Rev. W. C. Black, D. D.
" S. M. Thames.	" T. L. Mellen.
" L. J. Newell.	" A. F. Watkins.
" R. M. Standefer.	" C. G. Andrews, D. D.
Hon. G. D. Shands.	Maj. R. W. Millsaps.
Capt. D. L. Sweatman.	Col. W. C. Nugent.
Mr. J. B. Streater.	Dr. Luther Sexton.
" John Trice.	Hon. M. M. Evans.

After the Board organized under the charter the question of locating the College was considered with great care. The Board met repeatedly to consider the offers made by different towns, and finally, on May 20th, 1891, while in session in Winona, Mississippi, decided to locate the College in Jackson, the capital of the State. The citizens of Jackson contributed \$21,000 for ground and buildings, and to this sum Maj. Millsaps added \$15,000. Plans for a commodious main building were immediately procured, grounds were purchased and in a comparatively short time buildings were in process of erection.

When it became evident that everything would soon be in readiness for formally opening the College for the reception of students, the Board of Trustees, at a meeting held in Jackson, April 28th, 1892, began the work of organizing a faculty of instruction.

The Rev. W. B. Murrah was elected president. Many applications were considered for professorships and Mr. N. A. Patilo was elected professor of Mathematics, and Mr. W. L. Weber was elected professor of the English Language and Literature. At the time of his election, Prof. Patilo was doing post graduate work in the Johns Hopkins University of Baltimore. Prof. Weber was the acting professor of English at the Southwestern University, Georgetown, Texas, when he was by this action called to Millsaps College.

At a subsequent meeting of the Board of Trustees held July 13th, 1892, Mr. G. C. Swearigen was elected professor of Latin and Greek and the Rev. M. M. Black was elected principal of the Preparatory Department. Both of these gentlemen had

recently taken post graduate degrees at the Vanderbilt University, Nashville, Tennessee. At the regular meeting of the Board of Trustees in June, 1893, Prof. A. M. Muckenfuss was elected professor of Chemistry. The necessary buildings having been erected, the first scholastic session began with appropriate ceremonies September 29th, 1892.

LORENZO DOW IN MISSISSIPPI.

BY BISHOP CHAS. B. GALLOWAY.¹

One of the most interesting characters connected with the early history of Mississippi was Lorenzo Dow, a Methodist evangelist, whose oddities of manner and mental and spiritual eccentricities were only equalled by his tireless industry and unselfish devotion to what he regarded his duty. He roamed the country from New England to Louisiana on horseback usually, but sometimes in wagons, occasionally on foot, and even made two evangelistic tours through England and Ireland. His striking features, peculiar dress, eccentric manners, mysterious movements, genuine self-abnegation, powerful invective, and undaunted courage, gave a sort of moral sorcery to his appearances, and attracted multitudes to his ministry. A kind of charmed wonder attended his strange wanderings. He announced that one year from a certain day, he would preach under that tree, and then vanish to be scarcely heard of again until the designated time of his return. But true to his appointment he appeared and a mixed multitude was sure to be

¹ Bishop Charles Betts Galloway was born in Kosciusko, Miss. (Sept. 1, 1849), and was reared in Canton, Miss. A few weeks after his graduation at the University of Mississippi (1868) he was licensed to preach and in December of the same year he joined the Mississippi Conference. On his twentieth birthday he was married to Miss Hattie E. Willis, of Vicksburg, Miss. He rose very rapidly in the ministry and filled with ability some of the most responsible pastorates in his conference, while he was a young man. From 1882 to 1886 he was editor of the New Orleans *Christian Advocate*. In 1882 the degree of D. D. was conferred upon him by the University of Mississippi, and in 1899 the degree of LL. D. by the North-Western University, Evanston, Illinois. In 1886 he was elected to the episcopacy, being the youngest man to be called to this responsible position in the history of Methodism.

Bishop Galloway has long been recognized as one of the most able champions of the prohibition cause. He was at one time editor of the *Temperance Banner*, which was the organ of the Mississippi temperance movement. For several years he was also chairman of the executive committee of the State prohibition organization and has probably done more than any other one man to secure the passage of local option laws in Mississippi.

In 1886 he was chosen fraternal messenger to the General Conference of England. He was a member of the Ecumenical Methodist Conferences which met in Washington in 1891 and in London in 1901.

there to greet him. Six times he came into the Mississippi Territory, and for two years made this his home. He was the first Protestant minister to preach the gospel within the present State of Alabama, and the same honor is also due him in the religious history of Louisiana.

Lorenzo Dow was born October 16, 1777, in Coventry, Tolland Co., Conn. His parents, natives of the same place, were descended from English ancestors. He seems to have been a strange child, and at four years of age began to show those mental movements and peculiar religious susceptibilities for which he became celebrated. At about thirteen he went with the eager throngs to hear the famous Hope Hull preach and that day decided his future career. Shortly thereafter he connected himself with the Methodists at whose altars he had been happily converted, and at eighteen felt divinely called to the office and work of the ministry. But so meagre were his educational advantages and so eccentric his manners, that the church hesitated to give him authority to preach. At length, however, because of his earnest spirit and fervent zeal, and undoubted sincerity, and in response to his importunate pleadings, he was reluctantly allowed to test his gifts and graces as a junior supply under a wise superintendent.

He officially visited the missions of his church in Japan and China, 1894, in Brazil, 1897, and in South America, 1901. He is president of the Board of Education of the M. E. Church, South, a member of the Board of Trustees of the John F. Slater Fund and president of the Board of Trustees of Millsaps College.

Although much of his time is occupied with the duties of the responsible position which he fills in his church, he has devoted much time to literary pursuits. He has written: "Life of Bishop Linus Parker," "Handbook of Prohibition," "Open Letters on Prohibition" (a controversy with Jefferson Davis), "Methodism, a Child of Providence," "A Circuit of the Globe," "Modern Missions: Their Evidential Value," "Christianity and the American Commonwealth." Bishop Galloway is very much interested in the history of his native State, and is at present a member of the Mississippi Historical Commission. Among his most valuable contributions to Mississippi history are: "The Methodist Episcopal Church South in Mississippi" (Goodspeed's *Biographical and Historical Memoirs of Mississippi*, Vol. III, pp. 362-8), "Elizabeth Female Academy—the Mother of Female colleges" (*Publications of the Mississippi Historical Society*, Vol. II., pp. 168-178), "The Story of Blennerhassett" (*American Illustrated Monthly Magazine* for December, 1899).

Detailed sketches of his life will be found in Goodspeed's *Biographical and Historical Memoirs of Mississippi*, Vol. I., pp. 773-5; *Who's Who in America* (1901-1902), p. 412; *Cyclopedia of American Biographies*, Vol. III., p. 225.—EDITOR.

But after a few months of trial he was sent home, with the following discouraging note of dismissal:

"We have had Brother Lorenzo Dow, the bearer hereof, traveling on Warren circuit these three months last past. In several places he was liked by a great many people; at other places he was not liked so well, and at a few places, they were not willing he should preach at all. We have, therefore, thought it necessary to advise him to return home for a season until a further recommendation can be obtained from the society and preachers of that circuit.

JESSE LEE, ELDER.

JOHN VANIMAN,

THOMAS COOPE.

Rhode Island, July 3rd, 1796.

To C. Spry and the Methodists of Coventry."

That greatly distressed him. He said: "I could easier have met death than this discharge. My heart was broke. Two or three handkerchiefs were soon wet through with tears."

Though cast down by this severe judgment of his brethren, he was not destroyed, and his settled conviction that God had called him to the ministry suffered no abatement. At the Annual Conference in Wilbraham, which met shortly thereafter, he appeared and plead for admission. But he was rejected after a heated discussion, the opposition to him being led by Jesse Lee and Nicholas Snethen. Referring to his rejection by the Conference, Dr. Abel Stevens, the accomplished historian, makes this generous reference: "He was a right hearted, but wrong headed man, labored like a Hercules, did some good, and had an energy of character which with sounder faculties would have rendered him as eminent as he was noted."

Though not admitted on trial permission was given for him to be employed as a supply. "So," said he, "I was given into the hands of S. Hutchinson, to employ me or send me home, as he should think fit." At the end of that year of successful, but not a little erratic labor, he won his way into the Conference, and his license was signed by Francis Asbury himself. But he seemed never able to curb his restless spirit or be submissive to any rules or regulations, whether ecclesiastical or social. Appointed to a circuit, he traveled awhile, and then crossed the Atlantic ocean "under a supposed divine impression to preach in Ireland." He erected a bush as a sail in a leaking canoe, and passing down the Missisque made his way to Montreal, whence he pursued his proposed voyage.

But the purpose of this paper is not to follow everywhere the

wanderings of this eccentric cosmopolite over land and sea. Only his connection with the early history of Mississippi is to be considered.

His first visit to what was then known as the "Natchez Country" was in the late spring and early summer of 1803. He came on horseback through the "wilderness" from Georgia. Armed only with a crude map and a pocket-compass, and assisted occasionally by a guide, he made his way safely through a dangerous and little traveled country. He stopped first at what he called a "thick settlement" on the west bank of the Tombigbee. Then he says there was a scattered one seventy miles in length, "through which I sent a chain of appointments, and afterwards fulfilled them, and the fruit I expect to see at a future day."

From there, accompanied by three travellers bound for West Florida, he came through the Choctaw Nation to the Natchez Settlement. He thus refers to his reception by the master of the house, once a Methodist, where he first spent a night:

"He happened to hear of my coming the week preceding, by some travellers, and received me and the three men kindly, and the next day got me a meeting, and good, I trust, was done. The nights after I held a meeting at the house of a Baptist; then rode on towards the town of Natchez."

Reference is made in his *Journal* to the cordial greeting given him by Moses Floyd, a pioneer Methodist itinerant, and the friendly consideration shown by the Governor of the Territory to whom he had letters of introduction. He says further: "I held two or three meetings in the assembly room, with the permission of the mayor, though with difficulty obtained."

During that visit he purchased the ground for a church in the village of Kingston—the first spot of earth ever deeded in the Mississippi Territory for a Protestant house of worship. The building, however, was not erected until after the one at old Washington. And the heroic, unselfish spirit of the eccentric evangelist is shown in the manner of this purchase. Having no money, yet oppressed with the sense of the country's great spiritual need, he sold his watch to secure the lot for a house of worship. This reference I find in his *Journal*:

"I went to Kingston, and procured a spot of ground (by selling my watch) for a meeting-house; and then to the heights and Pinckneyville, and held meetings. I stopped at a house on the edge of West Florida and sold my cloak. Thence I returned and visited several neighborhoods and God's power was felt in some of them."

The deed made by Lorenzo Dow to the church lot at Kingston was in June, 1803, and contains one curious provision—the exclusion of himself from the pulpit of the same if he should ever so change his theological views as to become an opposer of the Methodist Church. The historic names of Floyd, Foster, Truley, Turner and Calendar appear as trustees and the lot was located in Square 11, Claiborne Street. It is now not even a deserted village, only a few mounds and ruins left where mansions of wealth once stood. The deed provided that it was to be the property of the Methodist Episcopal Church, but to be “occupied by accredited ministers of every denomination when not occupied by those of the Methodist Church,” and “by the above mentioned Lorenzo Dow, *unless he should become an opposer of ye doctrine or discipline of said Church.*” This is doubtless the only instance on record in which, deeding any of his property, a man provided against his own possible heterodox—his own defection from the faith.

After this he visited Pine Ridge, Washington, Selsentown, Calendar’s, Wormsville, Bayou Reivre, Big Black and at the latter place “preached the funeral sermon of a niece of the Rev. Tobias Gibson.” His horse had become lame and unfit for the long return journey through the Indian country, so he had to be remounted. Of that fortunate trade as will appear later he thus writes:

“I left my horse with Brother Randall Gibson, and took a Spanish race-horse, which he was to be responsible for, and I was to remit him the money by post, when it should be due on my arrival in Georgia in November.”

On account of several personal altercations between white men and Indians, the latter had become very hostile and revengeful. It was dangerous for a man to travel alone. Mr. Dow had arranged to go with quite a company, but on reaching the Gibson home he learned that they had been gone twenty-four hours. So he mounted his fleet-footed Spanish racer and hurried on, hoping to overtake them somewhere in the wilderness. But that was a perilous venture and come near resulting in the brave prophet’s early and tragic death. Of that thrilling experience he writes in his *Journal* as follows:

“I set off alone and rode the best part of twenty miles, when I saw a party of Indians within a hundred feet of me. I was in hopes they would pass me, but in vain, for the first Indian seized my horse by

the bridle, and the others surrounded me. At first I thought it was a gone case with me; then I concluded to get off my horse and give up all in order to save my life. * * * But I observed that the Indians had ram-rods in the muzzles of their guns, as well as in their stocks, so it would take some time to pull out the ram-rods and get their guns cocked ready to shoot. At this moment my horse started and jumped sideways, which would have laid the Indian to the ground who held the bridle had it not slipped out of his hands. At the same time the Indian on the other side jumped seemingly like a streak, to keep from under the horse's feet, so that there was a vacancy in the circle, when I gave my horse the switch, and leaned down on the saddle, so if they shot I would give them as narrow a chance as I could to hit me, as I supposed they would wish to spare and get my horse. I did not look behind me until I had got out of sight and hearing of the Indians. I was not long in going a dozen or fifteen miles; so I overtook the company that day, and told them what I had passed through."

The courtship and marriage of this eccentric man and his no less peculiar "Peggy" must rank among the quaintest and most interesting affairs of the human heart. Romance there was in a large measure, but the sentiment ordinarily incident to the union of two young lives was conspicuously absent. There was no shy glances and modest blushes and cautious approaches to the tender subject. Frequent visits and much "small talk" were not according to the taste and thought of the serious and busy evangelist. Suddenly concluding that the fair young Peggy would make him a suitable wife, he made an unexpected and almost fierce assault upon the citadel of her affections, but with perfect success. The proposition was made in presence of her sister. With consenting silence she vanished from the room, but happy in the thought of sharing the heart and life of so good and to her so great a man.

The young woman who gave her heart so readily and romantically to Lorenzo Dow was born in Massachussets, but her mother having died when the little daughter was quite young, she had lived with her sister, Mrs. Miller, in the State of New York.

Mr. Dow's account of the affair is thus given in his *Journal*:

"In reply to some question of mine, Mrs. Miller, her sister, observed that Peggy was resolved never to marry unless it was to a preacher, and one who would continue travelling. This resolution being similar to my own, as she then stepped in the room, caused me to ask her if it were so. She answered in the affirmative, on the back of which I replied, 'Do you think you could accept of such an object as me?' She made no answer, but retired from the room; this was the first time of my speaking to her. I took dinner; asked her one more question ——— and went to my neighboring meetings, which occupied some days; but having a cloak making of oiled cloth, it drew me back to get it. I stayed all night, and in the morning, when going

away, I observed to her and her sister, who brought her up as a mother, that I was going to the warm countries, where I had never spent a warm season, and it was probable that I should die, as the warm climate destroys mostly those who go from a cold country. 'But,' said I, 'if I am preserved about a year and a half from now, I am in hopes of seeing this northern country again, and if during this time you live and remain single, and find no one that you like better than you do me, and would be willing to give me up twelve months out of thirteen, or three years out of four, to travel, and that in foreign lands, and never say, do not go to your appointment, etc.—for if you should stand in my way, I should pray to God to remove you, which, I believe, he would answer,—and if I find no one that I like better than I do you, perhaps something further may be said on the subject;' and finding her character to stand fair, I took my departure."

He was absent nearly two years preaching through Canada and the far South as far as the Natchez country. Returning to Mr. Miller's and finding Peggy "still single" and willing to cast in her lot with his, they were married at once on the evening of Sept. 3, 1804. "Only we five were present, including the officiating minister."

Early the next morning, accompanied by his brother-in-law, Mr. Smith-Miller, Lorenzo Dow started on another tour to Mississippi, and did not see his bride again for nearly eight months. It was Mr. Miller's purpose, if he liked this new country, to remove here with his family. Lorenzo Dow, by correspondence, had given rather glowing accounts of its great and certain future. This reference I find in his *Journal*: "In my travels, I went to the Natchez Country where I found religion low and had hard times, but thought this country one day would be the garden of America, and if this family would remove there it would prove an everlasting blessing."

Along the entire journey of nearly two thousand miles, the route he came, the zealous evangelist was meeting appointments for preaching which had been made months before. From Tennessee south he was accompanied by Learner Blackman and ——— Barnes.

Here are some interesting extracts from his *Journal* about events in the Mississippi Territory:

"Nov. 4th.—Crossed the ground where I had the providential escape from the Indians, and arrived at the settlement of Natchez. We were glad to see the white people once more. Stayed at the first house all night.

"5th.—Called on Moses Floyd, a preacher on Big Black. Here Bro. Barnes turned to begin his route. Blackman went with us to Colonel Barnett's, on Bayou Pierre. Next day we went to Randal Gibson's, on Clark's Creek, and got some washing done, and there Miller stayed. Blackman went with me to Squire Tooley's, father of the doctor, where Brother Harriman, a missionary, was at the point of death.

"8th.—I visited Washington and Natchez and some of the adjacent posts. Here I must observe the truth of the maxim, 'Give the devil

rope enough and he will hang himself.' A printer extracted a piece from a Lexington paper, as a burlesque on me, which, however, did me no harm, though it circulated in different parts of the Union. He had just got his types set up before I made application for the insertion of a notice, that I should hold a meeting in the town on Sunday. This, following the other, made impression on the people's minds, and excited the curious to attend the meeting. When I was here before I found it almost impossible to get the people out to meeting any way, and had my scruples whether there were three Christians in the town, either white or black. But now I spoke three succeeding Sabbaths, and some on week-days.

"12th.—Here by Washington we appointed a camp-meeting. There is ground laid off for a college, and Congress, beside a handsome donation, hath given twenty thousand acres of ground. This country is now dividing into townships and sections, and sold by government, as in the State of Ohio; and though only a Territory now, yet will be incorporated into a State when the inhabitants shall amount to sixty thousand. They now have a small legislature; the Governor is appointed by the President. One representative goes to Congress.

"Sunday, 25th.—I spoke for the last time in Natchez. I visited Seltz-entown, Greenville and Gibson Port. This last place was a wilderness not two years ago, but now contains near thirty houses, with a court-house and jail."

After this he crossed into Louisiana and spent a week or two in visiting the scattered settlements and holding religious meetings. Preparations were then made for the long return journey through the wilderness. How he secured tough steeds for the dangerous and weary travels of those early days makes a curious story of itinerant and evangelical adventure. He says:

"We got some things fixed to our minds, and procured three Spanish horses, which had been foaled wild in the woods, and had been caught out of a gang by climbing a tree and dropping a noose over the head, it being made fast to a bough. * * * Our horses being tamed and taught to eat corn, by forcing it into their mouths, and prepared with a tent and provisions, bade the settlement on the Mississippi River adieu, and betook to the woods for Tombigbee, having two others in company."

In fording the Pearl, or "Half way river" as it was generally called, he only escaped drowning by what he fondly considered a clear case of providential deliverance. Here is reference in his *Journal* to a grotesque Indian custom of sufficient interest to be reproduced:

"24.—We rode about forty miles, through Six-Town, of the Choctaws, and whilst we were passing it, I observed where they scaffold the dead, and also the spot where the flesh was when the bone-picker had done his office. The friends of the deceased weep twice a day for a term, and if they cannot cry enough themselves, they hire some to help them. It was weeping time, and their cries made our horses caper well. I was informed of an ancient custom which at present is out of date among them. When one was sick, a council was held by the doctors; if their judgment was that he would die, they being supposed infallible,

humanity induced the neck-breaker to do his office. An European being sick, and finding out his verdict, to save his neck, crept into the woods and recovered, which showed to the Indians the fallibility of the doctors and the evil of the practice. Therefore, to show that the custom must be totally abolished, they took the poor neck-breaker and broke his neck."

At the camp-meeting near the village of Washington to which reference has been made—the first ever held south-west of Tennessee—Mr. Dow displayed some of the oddities for which he was so famous. In order to attract a congregation, he mounted the stand one afternoon and cried out at the top of his voice that he had heard the latest authentic news from hell and was going to publish it. When the excited throng had crowded about him, he announced the text: "And in hell he lifted up his eyes, being in torment," and preached an earnest, solemn sermon.

It was just such things that caused publications like the following, which occurred in a New England paper:

"By desire Lorenzo Dow, an eccentric genius, whose pious and moral character cannot be censured with propriety, is to preach at the court-house, precisely at nine o'clock this morning."

After a long absence of nearly eight months he returned to see his bride with whom he had spent only a few hours after their romantic marriage. On account of imperfect mail facilities and the uncertain wanderings of her eccentric husband, Peggy was not advised of the exact time he would arrive and was not at home to greet him. His *Journal* has this record:

"22d.—Arrived back in Wistern, after an absence of near eight months. Peggy was not at home. Our marriage was not known in general in this neighborhood, until within a few days past. It caused a great uproar among the people.

"23d.—Peggy felt it impressed on her mind that I was here, and so came home early in the morning, having enjoyed her health better, and her mind also, than for some time previous to my absence. In the afternoon S. Miller and his wife came home, well, and were preparing for their journey to the Mississippi Territory."

The restless evangelist and his peculiar Peggy went to Europe and remained a year or two, while Mr. Miller and wife came to Mississippi and settled four miles south of Port Gibson. But Mr. Miller did not succeed, made a bad trade, became involved in debt, and besides had domestic troubles which utterly destroyed his home. On Mr. Dow's return from England he hastened through the country on horseback to the Mississippi

Territory and found Miller's affairs in a distressful condition. He had, in connection with another man, erected a mill on land to which the title was insecure, and Mr. Dow was induced to assist in the purchase. This proved a great mistake, involving him in financial loss and almost endless trouble. His wife Peggy, in her "*Journey of Life*," thus refers to the transaction:

"There was considerable less than one hundred acres, with a log cabin on it. * * The mill was not finished; there was a dam and mill-frame, but the dam had broke, and it was uncertain whether it could be made to stand. There was a man who thought he could make it stand. Lorenzo made an offer to him of the place; if he would take it out and make a mill upon it, he should have one-half of the mill. Accordingly he undertook and repaired the dam, so that it saved some that winter."

His wife having deserted him, Miller went back to New York State, and Mr. Dow returned to New England for his Peggy. In a short while they started to Mississippi in a spring wagon, the zealous evangelist preaching every day according to appointment. At Wheeling, Va., he engaged passage for his wife on a flat-boat, owned by friendly Quakers, "laden with flour and cider and various kinds of produce adapted for the Natchez"—while he traveled on through the country filling his "chain of appointments." Of that trip Peggy thus writes:

"After being confined on board a boat for six weeks we reached the mouth of Bayou Pierre, about twelve miles from Gibson Port, which was forty miles from Natchez. * * I had never been in that country before, but Lorenzo had several times; and hence I had some ground to expect I should find some friends, as many of them had manifested a desire that I should come to that country. But my sister had conducted herself in such a manner that it made my way very difficult. * * * I landed at night and Brother Valentine came in the morning, so that I was provided for. We left our things at this public house, and I rode the horse, while he and the young man walked about twelve miles through the mud. This was about the 12th of January. We stayed at Gibson Port that night, about four miles from the place where my sister had lived. We left Gibson Port and went to the neighborhood of the mill, to the house of Samuel Coburn."

In a few days she was joined by her wandering husband who had come through the country, preaching in every village and settlement. Mr. Dow remained in Mississippi until October, and in the meantime built a little home not far from the mill. The following is his description of the modest home in which he lived:

"As the last retreat, Cosmopolite, retired into a canebrake at the foot of a large hill, where was a beautiful spring, which he named 'Chicomain spring,' by which he got a small cabin made of split poles,

where the bear, wolf, tiger, etc., with all kinds of serpents in North America, abound. This was an agreeable retreat from the pursuing foe, there to await and see what God the Lord would do."

He preached as much in the country as his health would allow, and all the time sought relief from embarrassments occasioned by the conduct of Mr. Miller.

Securing a home for Peggy with an agreeable family, as she could not live alone at the "Chicomán Spring," he went north on an evangelistic tour and was gone a year and seven days. His return was hailed with joy by his faithful young wife and cordially greeted by hosts of friends. But the climate did not agree with either of them. Both suffered with what he called "fits of the ague," and several times each came near to the grave. So after a continued residence on Peggy's part of two years in the Territory, they determined to again become homeless itinerants. So Mr. Dow deeded away his interests in the famous old mill, and discharging every obligation he had assumed to the last cent, he and his faithful Peggy turned their faces to the northward. A few years ago the ruins of his possessions, a few miles south of Port Gibson, were yet to be seen and the place is still known as "Dow's Mill."

He donated the ground at old Washington on which the first Methodist church in Mississippi was erected. It is within the present campus of Jefferson College, and the original deed signed by Lorenzo and Peggy Dow is in the library of the College. That became a historic structure. Some of the greatest men of the early days preached from its pulpit and the leaders of south-western thought sat in its old-fashioned pews. The Hon. J. F. H. Claiborne, the historian of Mississippi, in a letter written not long before his death, said he had heard Lorenzo Dow, Bishop McKendru, Roberts and George, and other distinguished visitors preach in that pulpit. It was in that building the first Constitutional Convention met in 1817 that framed the organic law under which Mississippi was admitted to the Union.

Again in 1816, Mr. Dow was in Mississippi. This time he came by boat down the river from Cincinnati, arriving in December and remaining in the south-west until the following April. I find this characteristic entry in his *Journal*: "At length I landed at Natchez, obtained several letters and not

finding any friends, I embarked in another boat, and on the 20th of December I arrived in New Orleans, having changed from one boat or canoe to another *thirteen times*." In that city he remained nearly a month, most of the time as the guest of Capt. William Ross, flour inspector of the port.

This final quotation from his intensely interesting *Journal* ends his connection with the early history of Mississippi:

"My books, through the delay of the binders, did not come in time for me; I only got a few—took steamboat, ascended to Baton Rouge—visited St. Francisville and several places in Florida; thence to Woodville, Liberty, Washington, Greenville, Gibson Port, Warrenton, Natchez and many country posts—saw some of my old acquaintance—bought me a horse and thought to return by land; sold him again, being unable to endure the ride; so I went down the river, visiting such places as God gave me access unto. On the island of Orleans, I find the influence of the clergy is going down-hill:—many of the people came to some of my meetings."

He remained there several weeks, preached a number of times in the court house, dined with Governor Claiborne and "observed how many of his colored people were religious, and the satisfaction he took in hearing them sing and pray," visited the battlefield where Jackson won his great victory, and on the 12th of April took passage on a ship for New York. Mr. Dow continued to itinerate and preach for many years but never came to Mississippi again. He died suddenly in Washington, D. C., on the 2d of February, 1834, and in the cemetery of that city his restless body was gently laid to rest in certain hope of the resurrection of the just.

EARLY BEGINNINGS OF BAPTISTS IN MISSISSIPPI.

BY Z. T. LEAVELL.¹

Baptists do not assert that they preceded all other evangelical denominations in the early settlement of Mississippi. But they do maintain the position that they were the first of them to permanently establish themselves on the soil of our State. The existence of an early Congregational Church was of short duration, just twelve years. Like a meteor, the church came and went before Baptists established themselves in organized and orderly form. The colony of Congregationalists reached Mississippi in 1772, and Rev. Samuel Swayze, their faithful pastor, died in 1784. The existence of the church was dependent upon the bodily presence of one man, and when he was dead the church was dead.

At what date do Baptists claim that the first Baptist church was established in Mississippi? This has been a troubling question. Rev. F. M. Bond, in his introduction to *A Republication of the Minutes of the Mississippi Baptist Association*, says "From this period (1780) to 1793 or 1794, we know but little about the church, only that it existed and increased." Rev.

¹ Rev. Z. T. Leavell was born in Pontotoc county in 1847. He was educated at the University of Mississippi, graduating at that institution in 1871. In October, 1870, he entered the ministry. After completing his university course he entered upon a three years' theological course at the Southern Baptist Theological Seminary, then in Greenville, S. C., but afterwards removed to Louisville, Ky. After serving as pastor of Baptist churches at Dalton, Ga., Murfreesborough, Tenn., and Columbus, Ky., he returned to Mississippi in March, 1877. He was then pastor at Oxford, Natchez, and Clinton. He was financial agent of Mississippi College for two years and for the same length of time in the faculty of that institution. From 1890 to 1895 he was President of Carrollton Female College. During a period of twelve years Dr. Leavell was a member of the Board of Trustees of Mississippi College. He has been connected with the Baptist Mission Boards of Mississippi for twenty-four years. He is now Secretary and Treasurer of the Gulf Port Chautauqua Association. In 1895 the degree of D. D. was conferred upon him by Mississippi College.

He is author of *Baptist Annals* and the *Existing Baptist Orphanages of the South*. At present he is engaged in writing *A Complete History of Mississippi Baptists*.

A more detailed sketch of his life will be found in Goodspeed's *Biographical and Historical Memoirs of Mississippi*, Vol. I., pp. 1110-'1.—
EDITOR.

John G. Jones, in his *Introduction of Protestantism in Mississippi and the Southwest*, says of the Baptists, "If they date the institution of their church from the time Baptists first established social worship in Mississippi, they may fix it as early as 1781 * * * if they date it from the time William Hamberlin, Stephen DeAlvo, and others, were admitted into their communion by immersion * * * They may fix it as early as 1791 or 1792." Thank you. Jones was a good man, and, a clever historian, but some things did not fall under his observation. Bond seems without chart or compass, and on an unknown sea. It may be well to say that oral tradition and conjecture are not history. We are not left at the mercy of either in answering the question before us.

By a strange providence, I have before me the minutes to 1815 of the first Baptist church established in Mississippi. In 1888, when I was pastor in Natchez, my lamented friend, Maj. Thomas Grafton, then editor of the *Natchez Democrat*, gave me these old musty records. I was told by him that a great many years before a good Baptist had given them to him in trust inviolable to be held until old age came on him and then to be given to some worthy person in like manner as he received them. He affirmed that he did not know why they were given to him, as he was a Presbyterian. I could tell why, if it were in place here.

I shall give you, without mental reservation, excerpts from these minutes as they bear all the marks of correctness and of great age. The paper on which they are written is as brown as a bun, and the writer uses the ancient "f" for "s." The minutes begin thus:

"October, 1791. The Baptists of the vicinity of Natchez met by request of Rev. Richard Curtis and William Thomas, at the house of Sister Stampley, on Coles Creek, and formed into a body, receiving (or adopting) the following articles or rules, considering it necessary that such as have a mind to join the Church are only to be received by letter, or experience."

Their place of meeting was on the South Fork Coles' Creek, which runs northward through the western part of Jefferson county. The old church house was near what is now known as Stampley Station on the Natchez and Jackson Railway, which is eighteen miles north of east of Natchez. There is no church there now, and the old church house is a thing of the

past. The old mother church is dead, and there is nothing now remaining to mark the spot made sacred as the meeting-place of the ancient worshipers.

There were seven men and women who went into the organization of the church, October, 1791. Given in the order in which they occur, they were: Richard Curtis, William Thomas, William Curtis, John Jones, Benjamin Curtis, Margaret Stampley, and Ealiff Lanier. Richard Curtis is designated on their written record as their chosen pastor, and William Thomas as their recording clerk. A small number, indeed, but a Scriptural number. In the great waste of the wild west, with hostile Indians on one side, and a frowning state church on the other, seven men and women organized for happy homes and peaceful citizenship, a cheerful now, and a blissful hereafter. What could they do within their menacing environments? But we must remember that Christ began the evangelization of the world with twelve men of limited education, while surrounded by a conservative, threatening religious population, and opposed by demons incarnate.

The articles on which this first Baptist church in Mississippi was constituted were few and simple. I will give them:

"1. We agree to submit ourselves to God, and to each other, reprove, and bear reproof, bear each other's burdens, and to carry on the work of the Lord as well as we can.

2. We agree, as touching things temporal, not to go to law one against another, as the Scriptures forbid that Brother should go to law against Brother.

3. We believe the Lord's Day to be set apart for the worship of God, and, whereas, it has been much observed, now to pay particular attention to that day; and make the Scriptures of the Old and New Testament our rule and practice in life."

This a good and simple creed, and one by which the church abided throughout its existence. Its members reprovèd, and bore reproof. Their discipline was strict, sometimes seemingly severe, and ever firm. Suspensions were not infrequent, and expulsion was administered with a steady hand. They settled their disputes as to temporal matters among themselves, and not at a legal tribunal, sometimes endangering the best interests of the church by such a mode of proceeding. They were strict in the observance of the Sabbath, holding social worship in their homes on that day, when deprived of the privileges of

public worship. They were a people of one book, the Holy Bible, which was with them the first and last appeal.

"The first church was called Salem, *i. e.*, *peace*, and stood among the upper branches of South Fork of Coles Creek in Jefferson county, on what is still known as 'The Salem road.'" (Jones' *Protestantism*.) This statement is true in a sense. This first church was called Salem, but was not called Salem at first. It is the general opinion that it was, but the opinion is not correct by much. It is called in the early church records, "The Church of Jesus Christ at Coles Creek," "The Baptist Church of Jesus Christ on Coles Creek," and "The Baptist Church on Coles Creek." It is spoken of as assembling in private homes, and, "according to appointment," until 1805, when it is said to meet "at Coles Creek Meeting House." The caption of the old minutes is, "*The Records of Coles Creek Church*."

From the minutes of the old Ebenezer Church, Jan. 31, 1807, we get the statement, "The following brethren, viz: John Courtney, Rev. Ezra Courtney, and Mark Cole, were appointed to attend a conference at Coles Creek Church, to be held on Feb. 27, for the purpose of forming an association." This last quotation shows that it was called Coles Creek Church through January, 1807. The church was not, therefore, called Salem until between Jan. 31, 1807, and Sept. 26, 1807; the last date being the time of the first meeting of the Mississippi Baptist Association after its organization at Coles Creek Church. In the minutes of that meeting of the association it is called Salem Church for the first time.

An important event in the existence of the old church was the return of Richard Curtis from South Carolina after his persecution by the Spanish authorities. The usually accepted date of his return is strangely at variance with the written records of the Coles Creek Church. This variance is, most probably, due to the fact that the basis for the statement made by historians is the memory of old people, who lived near in time to the occurrence of the noted event, and not upon any written record of facts made at the time. Jones says of Curtis, "On the 6th of April, 1795, he stood a prisoner before Governor Gayoso." He states that Curtis left his home Aug. 23, 1795. These facts are not contested. The old records of Coles Creek Church, (page 2) say he left Coles Creek in 1795. But this historian

asserts that Curtis was away from Natchez District two and a half years.

The above assertion has splendid backing. Goodspeed's *Memoirs of Mississippi* (p. 371; Vol. II.) contains this statement, "At the end of two years and a half Curtis returned." I am credibly informed that this was written by Dr. J. F. Christian. Added to this, Bond tells us Curtis "remained in South Carolina" until the treaty ceding Mississippi to the United States *was effected*." Strengthening these assertions, Dr. Charles H. Otkin, in his paper on "Richard Curtis in the County of Natchez," in the *Publications of the Mississippi Historical Society* (Vol. III., p. 152) says, "In 1798, when the flag of the American Republic waved over the city of Natchez, Mr. Curtis returned to the field of his peaceful labors." This seems sufficient to establish the date of the return of Curtis, and I feel inclined to accept their statements, but am chained to an opposing record of the fact.

On page 4 of the old minutes of Coles Creek Church, near the bottom of the page, we find this statement, "However, although there was not a perfect reconciliation, nothing extraordinary broke forth, until the return of Brother Curtis, which was November, 1796." This written statement, we must accept, as it is seventy (70) years older than any one of the four written statements to the contrary.

Why should Curtis not have returned in November, 1796? Let us address ourselves to this question. Through the influence of Mr. Pinkney of South Carolina, the treaty of Madrid was signed on the 27th of October, 1795, placing the southern boundary of the United States at the line of the 31st degree of north latitude. This line is south of the county of Wilkinson, and was to be run within six months after the treaty was signed. It is admitted that news traveled slowly in those days. The battle of New Orleans was fought by Jackson after terms of peace had been agreed upon by England and the United States. But as Pinkney was an honored citizen of South Carolina, and Curtis then in South Carolina, it is very reasonable to suppose that Curtis heard of the treaty by or before the spring of 1796, which gave him full time to make all arrangements for his return in November of that year.

The news of the treaty of Madrid reached the authorities of

the United States in 1795, as in that year, to confirm the treaty, Andrew Ellicott was ordered to go to Natchez to ascertain the line of 31 degrees north latitude, and reached that city, Feb. 24, 1797. Governor Gayoso knew all these things. He knew Ellicott was coming, and for what purpose, and was on his good behavior.

Richard Curtis reached "the Natchez Country" only three months before Ellicott, which was seven (7) months after the limit of time had expired for running the boundary line. On the 31st of March, 1797, Governor Gayoso politely wrote to Ellicott, "There is not a single patrol out in pursuit of anybody, nor do I find occasion for it."

It is certain that some of the survivors of the eighteenth (18) century in their minds confused the pompous landing of Ellicott with the final occupation of the Natchez country by the United States in 1798. In Bond's introduction we find this language, "The American commissioners arrived * * * and raised *the stars and stripes* on the heights of Natchez. They then immediately erected a large brush arbor, and put temporary seats under it, and sent for Elder Bailey Chaney to come and preach under the American colors. * * * This last statement I have from the mouth of one of the hearers on the occasion (Elizabeth Chaney)." Claiborne says, "On the 29th (Feb., 1797), he (Ellicott) pitched his tent on the bluff * * * and *hoisted the national colors.*" Riley, in his *School History of Mississippi*, tells us that, "Ellicott soon became impatient of the delay * * * and began *to arouse the people.* He defiantly *unfurled the flag* of the United States, secretly found out how the inhabitants felt about the treaty, and *encouraged them to assert their attachment to his government.*"

Ellicott was, no doubt, defiant in his attitude toward Governor Gayoso. Claiborne informs us that, "the inordinate vanity of Ellicott got control of his judgment, and he assumed, *from the outset*, the air of a plenipotentiary." So we may well conclude that the statement made by Bond, as to what took place "under the Stars and Stripes" is confused, and that the event was at an earlier date than was attributed to it; and also that we must discount oral tradition when confronted by records written at or near the occurrence of an event of history.

It is a matter of interest that there were four Baptist

churches in Mississippi before the close of the 18th century. Baptists not only came to Mississippi to stay, but they knew the multiplication table. It does not occur anywhere in the written history of Mississippi Baptists, so far as I know, that there was a second Baptist church formed in the State as early as 1798. Jones cautiously informs us that about the year 1800 a second Baptist church, called New Hope, was organized on Second Creek in Adams county, and "*about* the same time another near Woodville, called Bethel." Bond says, "In 1800 a church was constituted four miles from Woodville, in Wilkinson county, by a part of the Ogden family and others. About the same time, one was constituted on Second Creek, and, we think, was called New Hope." They give us some facts, but not all of the facts.

The old records of the Coles Creek Church must again be heard. In the minutes of the meeting of the First Friday of August, 1798, we have as the second item of business, "The Bayou Piere brethren presented a petition requesting the constitution of a church on the Fork of Bayou Piere. The church thought it expedient and delegated Brethren Richard Curtis, William Thomson, John Stampley, Benjamin Curtis, Jacob Stampley, Joseph Perkins and William Thomas to attend at the house of brother Thomas Hubbard on Friday before the Third Sunday in August." This Bayou Piere Church did not go into the constitution of the Mississippi Baptist Association at Coles Creek, nor had messengers at the association in Sept., 1807. Thus it escaped the eye of the historian, but it was received into the association in 1808. It was represented by letter and messengers in the association each consecutive year unto 1819, when, on petition to the association from eight churches north of the Homochitto river, it was dismissed, as one of the number, to join in the organization of the Union Association. The first session of the Union Association was held with the Bayou Piere church September, 1820. Five years later it still existed, and was represented in the Union Association by Levi Thompson and William Cox.

In the first years of the 18th century churches were established in South Mississippi with marvelous rapidity. We will notice the organization of some churches in Amite county. The New Providence Church, east of Gloster, was organ-

ized July 27, 1805, with twelve members. The Ebenezer Church, southeast of Centerville, was constituted May 9, 1806, with eleven (11) members. The East Fork Church, west of Magnolia, was organized on the third Sunday in September, 1810, with twelve members. The Zion Hill Church, west of Summit, was constituted June 11, 1811, with twelve members. The Mars Hill Church, south of west from Summit came into existence on the first Sunday in June, 1815, with nine members.

In 1820, the old Mississippi Association was within the counties of Wilkinson, Amite, and a part of Franklin; the Union Association within Adams, Claiborne, Copiah, Jefferson, and a part of Franklin; and the Pearl River Association in Lincoln, Pike and Marion, and Lawrence. These, and other associations, soon covered the southeastern part of the State.

The beginnings of Baptists in North Mississippi were distinct from their beginnings in South Mississippi. North Mississippi was peopled by a tidal wave of immigration from the east after the third cession made by the Choctaws and the cession made by the Chickasaw Indians. The Choctaws did not get out of the State before 1830, nor the Chickasaws before 1835. These tribes occupied most of our State north of a line from Prentiss on the Mississippi river to Shubuta on the M. & O. Ry.

In this territory, the Chickasaw Association was formed in 1838, embracing the territory now known as the counties of Marshall, Lafayette, Benton, Union, Pontotoc, Lee, Tippah, Alcon, Prentiss, Tishamingo, and Itawamba. The Zion Association was founded in 1836, covering the counties of Calhoun, Chickasaw, Clay, and Webster. The Columbus Association was organized in 1838, embracing the counties of Monroe, Lowndes, Oktibbeha, and Noxubee. The Yalabusha Association came into existence in 1837, and was in the territory of Tallahatchie, Yalabusha, Grenada, and Carroll counties. The Yazoo Association later extended southward, embracing Laflore, Holmes, and Yazoo counties, and was met on the south by the old Union Association.

The Baptists who came to our State in early times were, very largely, from the Carolinas and from Georgia. They *came* to Mississippi, they were not *brought*. They were a thrifty people, who came west because of what they had learned of the salubri-

ous climate, and the fertile soil of our State. With sterling worth and masterful common sense they went to work to make their fortunes by pure, godly living and unremitting labor. They were patriotic and law-abiding. They have grown as the years have come and gone, as one would naturally expect, until now, there are 100,000 white Baptists in our grand old Commonwealth.

THE IMPORTANCE OF ARCHAEOLOGY.

BY PETER J. HAMILTON.¹

In the little library at Mobile of which I am so fond the first section embraces several subjects at which my visitors often wonder. On the top shelf are found books on early or primitive religions; on the next, primitive culture and customs; below, books on the American Indians and their remains; and then others on fairy tales and Mother Goose, children's games, Arabian Nights, Boccaccio, and more modern stories; while on the larger shelves below the dividing ledge come the reports of the Bureau of Ethnology, Antiquities of Tennessee, Nott and Gliddon's Types of Mankind and the like. A good many seem to think that this must be the place for library odds and ends, a kind of last place. On the contrary, I entitle it "Beginnings," and it is the section which is growing fastest and is my favorite. A longer word for it would be Archaeology, which is appropriated to the present discussion.

As I understand the subject, archaeology is the science cover-

¹ Peter Joseph Hamilton was born at Mobile, Ala., March 19, 1859. His father, Peter Hamilton, was one of the most eminent lawyers of the South. He graduated at Princeton in 1836. In 1848 he became a member of the Legislature of Alabama. Four years later he was appointed United States district attorney. He was a member of the State Senate during the time of the dual legislature in 1872, when he was the leader of the Democratic side, and was appointed commissioner to Washington. William T. Hamilton, father of Peter, and himself the son of a Peter Hamilton, was of Scotch descent and came from England to Charleston shortly after the War of 1812. He married Charlotte Cartledge, who came from Leeds, England. After serving as pastor of the first Presbyterian Church of Newark, New Jersey, William T. removed to Mobile, where he built the Government Street Presbyterian Church. The mother of Peter J. Hamilton was Anna Martha Beers, daughter of Jonathan S. Beers, and Cornelia Walker, of Georgia. On the Walker side they were connected with Walton, signer of the Constitution of the U. S., with James Fenimore Cooper, Jonathan Edwards, and Edmund Burke.

Peter J. Hamilton graduated at Princeton fifth in the large and famous class of 1879 and took the Mental Science Fellowship, considered the highest honor of all. The next year he was a student at Leipzig University. He afterwards attended the law schools at the University of Virginia and at the University of Alabama. He entered upon the practice of law in 1882, and was later partner of his father and his uncle, Thos. A. Hamilton, a lawyer of note. On November

ing the period of human development between Geology and History. History we all know, but when it commenced the human races had already accomplished much. History is necessarily based upon written records, and so far as it is supplemented by tradition and race studies it rests upon archaeology, the science of beginnings of everything human. Who among us knows when and by whom the needle was first used? Who among us knows when and by whom the bow of a boat, that element which makes a boat as distinguished from a raft, was first invented? Who among us knows the shape of the first house and who used it? And so I might go on and enumerate many things now so familiar that we have forgotten somebody must have been the first to use them. This field, the origin of customs, inventions and institutions, is that covered by archaeology. I know that generally the subject is restricted to the existing material remains of vanished races. But I do not think that this limitation is proper. The science certainly covers all human activity from the appearance of man down to the beginning of recorded history. It may concern itself first with material remains, but it will deduce from them everything which can properly be inferred as to human mind. A bare collection and classification of utensils, weapons, burial mounds,

the first, 1896, his uncle retired from active practice and died in February, 1897, leaving Peter J. Hamilton the successor of the old firm of Hamiltons.

Peter J. Hamilton was councilman of Mobile from the Eighth, the largest ward, from 1891-'4, when by the next board he was elected city attorney (1894). In 1899 he declined to run again, preferring to devote himself to his profession.

He married June 30, 1891, Rachel W., daughter of Dr. J. Ralston Burgett, pastor of the Government Street Presbyterian church of Mobile, and originally of Mansfield, Ohio, and Sarah V., daughter of Daniel Wheeler, a highly esteemed ship agent and cotton merchant of Mobile.

Peter Hamilton, like William T. before him, had a fine private library and Peter J. from a child was a writer. He frequently contributed to newspapers, and in 1893, on his return from a second trip through Europe, published through the Putnams, a book called *Rambles in Historic Lands*, which was well received.

Mr. Hamilton has made a special study of the local history and institutions of his part of the South and has written on it for different newspapers and magazines. His principal work is entitled *Colonial Mobile*. This was published by Houghton, Mifflin and Company in the fall of 1897, and is conceded to be a book of the first rank. He has for a year or more been assisting the Hon. Hannis Taylor in the preparation of a book on *International Public Law*, now in the press of Callaghan and Company of Chicago.—EDITOR.

cliff dwellings and the like will be a travesty upon the science. It is a restoration of the life of the people who made and used these things that makes the subject worth studying at all, and, on the generally accepted theory that all civilization is a development, we are only restoring our own past. Indeed there are some primitive mental activities that have survived even to our time and can be traced to their origins. Our own customs, songs, legends, games and religious observances contain primitive elements. They are just as legitimate subjects of study as tombs and arrowheads, and they yield if anything clearer results.

One of the most interesting things about beginnings is that they lie around us, as Wordsworth says Heaven does in our infancy, and this just as much as do the latest developments, only we do not generally distinguish them. To how many does it occur that children's games point back to ancient times? And yet those amusements in which we all joined as children, and which are still familiar to all except crabbed old maids and bachelors, themselves go back for centuries and still preserve customs of our ancestors. The game of thimble is a survival of the custom of becoming the man or vassel of a lord or military leader. The royal coronation is preserved in several games, and when played by pretty innocent children it is as pleasing a spectacle as ever was the original. And here let me say, what will prove true of many of the divisions of archaeology, that we can both study the science of ourselves and make real contributions to its advancement by a little observation of what goes on about us. Like some studies advertised in the papers, it can be done at home. The games of children will even show us from what part of the world the ancestors of our community came, and record and preservation of games anciently and now in use in Meridian, Vicksburg, Mobile and elsewhere will therefore be of interest. And the same is true of songs and rhymes, as well as of all public customs, those of grown up people as well as children. We do not lightly change habits or invent new ones, individually or collectively. What we have is largely what our forefathers used, and, if they show changes due to the surroundings on a new continent, they are of so much more value as historical guide-posts. They began in the same way and tell

the same story. Such things make up what is called the study of folk-lore.

When we think of archaeology in connection with white races, however, the field in America is comparatively limited. What we can trace back by means of Caucasian folk-lore can be done so much better in Europe, where our ancestors came from, that it would seem our attention could better be devoted to the other races about us. What can be done here as to our ancestors is really more antiquarian than archaeological. There are battlefields of the French under Bienville, the Spaniards under DeSoto, as well as many sites connected with exploration, all important, to be sure, but coming rather under the head of historical research. And I might say parenthetically that there is one branch of this which should be worked up especially. The outrunners of French civilization among the Indians were the *coureurs de bois*, of whom even the names have been lost. The pioneers of British civilization were the traders, like William Adair, who has left interesting works, and many others who have left no writings at all. Their influence upon the savages, their trade relations, their domestic life, where they came from, where they lived and where they died, are all unknown. Yet our plantations cover their sites and but for these men the history of our country would have been different from what it has been. It might have been better without them, or it might have been worse without them, but in any event it would have been far different, and in them we have an historical field which should be worked. And there is one way in which our French and Spanish forebears can aid us in archaeology proper. The relations and letters of the discoverers and pioneers, such, for instance, as LaSalle, Bienville and Penicaut, of our part of the country, throw much light upon the aborigines as they found them. These aborigines were then in pure barbarism, without mixture or contamination by white civilization, and the accounts of the early explorers are of the greater value on that account.²

But even disregarding archaeological studies of the white man,

²Translations of many are in French's *Hist. Colln. La. Penicaut* in the original is in 4 Margry *Decouvertes*. The *Jesuit Relations*, recently re-published, are invaluable for the lake and western States, but contain little on the Southern country.

the situation of our European races on this continent offers two special fields of investigation. We are succeeding the vanishing red race, whose culture and antiquities will be discussed presently; and there is also another with whom we are even closer in contact, whose present and future present so many political problems that we have neglected another side of study. Of course I mean the black race and they afford a most interesting field of investigation. They like ourselves are new comers on this continent, but unlike ourselves they were brought here by force, and they are working out their salvation by adopting our civilization. There are those who deem them only veneered savages, and their crimes, which have made lynching and even *auto da fe* so common, are horrible enough to lend color to the accusation. But we know that most of them are docile and affectionate, and their greatest faults are laziness and want of thrift, which also may point back to savage conditions. The very difficulty of the existing problem should lend an interest and show the necessity of studying their origin. The way to educate a child or a race is to pick out the faculties which can best be developed and work on them. That is the way every one of us who succeeds at all comes to be a lawyer, minister, writer, doctor, college professor or a business man. Goethe tells us that he succeeds best who can make a play of his business, that is, who loves it so that it is both his work and recreation together. So we can deal with our surroundings, and a study of the origin of the negro will throw much light on the way best to civilize him. Of course I am speaking only of them as a class and not of all individuals. I suppose that each one of us knows colored people for whom he has almost as high a regard as for many of his own race; but these are exceptions.³

The religious exercises of the negroes, with their shouting, singing and dancing, but with little spirituality, certainly recall those of their Guinea ancestors. A careful study will disclose

³ What is true of the black race as such may not be wholly true of those whom for reasons of caste we class with them, although they may have more white blood than black. I have often thought that the lot of mulattoes and of those with even more Caucasian blood, for whom our race is responsible, is pitiable. With more capability than the pure blacks, they are condemned to the position of the blacks. The preservation of the purity of the white race, perhaps, makes this inevitable; but to these very conditions it may be due that often the worst criminals are those of mixed blood.

similar points of resemblance in many of their games, customs, legends and words. The word "tote," the "patting juba," "buckra" and other familiar things are African, just as "chunk" is Indian. Some of the stories told us by our mammies come across the sea, and Brer Rabbit and that ilk must have an African ancestry. This is almost an unworked field and yet a rich one. We of the South have more opportunities and better knowledge for carrying on this line of investigation than any other people. It is a pity more has not been done among us. It is true all Africa has been ransacked for slaves in times past, but the bulk of our negroes came from the Guinea coast or the Niger and Congo interiors. So the field, though broad enough, is not too great to be mastered. The subject has attracted the attention of missionaries as well as others. John Leighton Wilson, of North Carolina, was long on the Guinea coast and speaks of it. Samuel Lapsley, of Selma, Ala., died in the Congo basin, and Tom Shepherd, a negro educated at the Presbyterian theological school at Tuscaloosa, is now in the same region. Sierra Leone and Liberia are under British and American control or influence. Work here and investigation there in co-operation could produce valuable results. But let us turn from the white and black races to the red and try and fit the Indian into his place in archaeology. In many respects he lends himself to the study best of all. He represents before our eyes a stage of development of our own ancestors. He is primitive history petrified, just as the stationary Chinese represent a later stage.

The world over the culture epochs of man are divided into stone, bronze and iron ages. The study of the beginnings of the human race or stone age is divided into periods, first the rough stone, technically called palaeolithic, the second the polished stone period, called neolithic, in which, however, rough stone implements still in part survived. The first relates to man in his earliest traces, when he was contemporary with the mammoth and other long since extinct animals, in the drift of the glaciers, which in America extended on the line from Philadelphia to St. Louis. The neolithic period relates to him after he had begun to make advance, when his instruments were numerous, compound, varied, and more neatly executed, and chipping had to some extent given way to grinding them. He

had begun to cultivate some grains and domesticate the dog and other animals. But in America this distinction is not important. The indications of palaeolithic man outside of the Trenton gravels are few and do not concern us of the Southern States. Our own district was probably then still a part of the sea now known to us as the Gulf of Mexico. Our study of ancient man must be directed to the neolithic age, and is really confined to it, for, as there was no palaeolithic to precede, so there was nothing to succeed it as in Europe. Copper began to be used to some extent, but there was strictly speaking no bronze age, and of course no iron age before the coming of the white man. And in the study of the stone age we find differences in different parts of America. The Esquimaux region constitutes one culture area, as it is called; the Pacific coast, including Mexico, another; while the region east of the Rocky Mountains is a very distinct one yet. This vast territory was inhabited by several different races, of which we may mention the Algonquin, north of our present Tennessee, but extending east of the Allegheny Mountains, the Iroquois about the Great Lakes and the St. Lawrence, and the Muscogee family in what are now our Gulf States east of the Mississippi. West of that great river were the Sioux and other families on which we need not now dwell. At the same time some of the Iroquois stock could be found in the South, for the important Cherokees in the mountains between Tennessee and the Carolinas are said to have been of that family. Not far from them were the Catawbas, who are generally thought to be of the Sioux stock, and possibly other small offshoots of the Sioux family are also found in the Biloxi of Mississippi, and in Arkansas. Besides these great stocks there were such independent ones as the Caddoes in Texas and the Timuquians about St. Augustine, Florida. Some of these identifications are not yet fully established, but seem probable from the testimony of language roots and in some cases of tradition. Of course the stock in which we are more especially interested, however, is the Muscogee, embracing the Chickasaws on one side and the Choctaws and Creeks on the other. Of these the two latter inhabited almost all of what is now Mississippi and afford ample scope for local investigation.

No study of Indian archaeology, whether for the whole of the

United States or for any particular district, is possible without the construction of a map. Any student of the Mississippi tribes will have to make a map and on it locate the principal monuments, remains and tribes of his particular section. In this way you detect groups and affinities which otherwise are not suspected. It is true that when we come to actual archaeological work the spade will supersede the pen, as Mr. Thomas has expressed it; for most of what can now be got at of Indian culture is underground. Linguistics, folk-lore and legends of the Indians throw invaluable light upon our subject, but there are also many tangible objects which we meet and these may be conveniently placed in four different classes.

1. *Fixed monuments*, such as mounds, shell heaps, stone and other graves, and Indian trails. Each of these can be subdivided, but we will only mention that of the mounds some are for purposes of burial, some for defence against an attack, and others for safety in inundations. The last are more common along the rivers, the second along the frontier of tribes, but the first will be found all over this State and in fact throughout the Mississippi basin. It is interesting and curious to note that burial mounds are infrequent in Texas and east of the Alleghenies.⁴

2. *Human remains*. These are necessarily found only in the mounds or stone graves. They were buried with no regard to ornamentation, and are either skeletons, or bones wrapped up together, from which the flesh had first been removed. Their importance is in the anatomical study of racial analogies.

3. *Relics, or industrial remains*, including implements of stone or pottery. Of the stone the most common are arrow and spear heads, generally of flint, even though flint may not be native to the section where they are found. These bring up the question of commerce between different tribes and localities, involving to some extent the division of labor. Pottery is very common in our Gulf region and presents many curious and sometimes beautiful shapes and decoration. All of us have seen and handled fragments, and perfect bowls and other articles are often found.⁵ The chief pottery district of the United States,

⁴ A full study of the mounds by Cyrus Thomas is in the 12th *Annual Report of the Bureau of Ethnology*. Miss. and Ala. are on pp. 253, 283.

⁵ Many fine specimens are given in the annual reports of the Bureau of Ethnology, as for instance in 1895-6.

however, is about the junction of the Ohio and the Mississippi rivers and the neighboring country. Pipes often occur, but, curiously enough, are less common where pottery is most frequent.

4. *Writings*, whether carved on rocks or more perishable materials. There are but few of these in our part of the country, and few anywhere in comparison with other Indian remains.

In such investigations it is important that some system be adopted. There are thousands of specimens of arrow heads and other Indian relics in private or public museums which are utterly valueless because they have no authentic history. Every explorer and student should preserve a plan and description not only of the objects found but of the localities and other identifying marks. It must be remembered that archaeology is not play,—its object is not simply to get together a lot of curiosities, but to arrange and classify everything it finds so as to admit of better study and of deductions from them.

Perhaps no better indication of the importance of American archaeology can be given than to refer to several of the questions which it and it only can solve. Among them are these,—1st. Who were the mound builders, especially of the Ohio region and other places where great heaps of dirt and stone seem to be effigies and represent animals of different kinds, or, as at Seltzertown in Mississippi, are terraced with architectural skill? Were they the same as Indians of historic times, or were they a separate race? If the former, were they not of Choctaw and Cherokee origin, as Brinton concludes?⁶ 2nd. Whence came the red men of this continent? Were they a separate creation or did they immigrate from other continents? If they did, was the Pacific slope crossed from China and Polynesia, and was the great Mississippi basin settled from some eastern source, or were all the red men of one stock? Here geology must tell us as to the connection of the continents in tertiary times. 3rd. There being evidently, as we have seen, a number of races on this continent, what were their inter-migrations? Did they come from North to South or East to West? And what were the limits of these movements? On this the spread of agricul-

⁶ Brinton's *Essays of Americanist*, pp. 71, 80.

ture, particularly of maize and tobacco, native only to Tehuantepec, may throw great light, while strange to say the banana seems to come to America with the whites. This becomes a part of the interesting study of the distribution of plants on the earth. 4th. What were the limits and boundaries of the historic tribes? Language is teaching us something, but only by a systematic study of the districts inhabited by the respective tribes can we solve this with any satisfaction. 5th. What degree of civilization had been attained by these different tribes? What advance had Chickasaws made over the Choctaws or the Creeks over the Cherokees? How do all compare with those of Mexico and Yucatan? 6th. There is one matter of greater interest and greater value than all the others and yet it is seldom thought of. It is this,—can we reconstruct the primeval speech of the inhabitants of America? If we can, we shall contribute more than we imagine to the archaeology of the whole world. This was first pointed out by Wilhelm Von Humboldt and in our own times by D. G. Brinton. The reason is that the Indian languages seem to be based upon a different plan from those of any other continent. What was the speech of primeval man is a curious question but so far utterly insoluble. It is thought we can see on the earth's surface a few primary linguistic stocks. They are differentiated by their roots and methods of combination, the principal styles being known as (1) Isolative, which place words consecutively, without change, like the Chinese; (2) Agglutinative, which simply annex one root to another, like the Esquimaux; (3) Incorporative, which breaks one word up by incorporating others in it, and this is the character of the American Indian languages, and (4) Inflectional, indicating changes of gender, time, number, etc., by prefixes and suffixes, such as the Latin, Greek and Aryan tongues.⁷ It is the opinion of many good scholars that the Indians when first discovered by Europeans had preserved their ancient languages and language plan better than any other races on the globe. Even yet two hundred independent stocks are known.⁸ If this is so, a study of their languages presents a unique field, one which will carry us further back into the archaeologic past than any other linguistic stock. This feature of American archae-

⁷ Brinton, *Essays of Americanist*, p. 339.

⁸ *Ib.*, pp. 318, 327.

ology has not been sufficiently noticed. The harvest truly is plentiful, but the laborers are few. 7th. Finally therefore in studying Indian antiquities we are carrying ourselves further back into the past of the human race, getting closer to the primitive savage, than is possible in the study of any other tribes on the globe, and becoming better able to decipher the beginnings of all human civilization than is possible in any other way!

To the solution of such questions this society can make valuable contributions. The State of Mississippi offers a peculiarly fine field for investigation of Indian remains. Many Indians still live in the limits of the State and work done among them already brings excellent results. Tradition can fix sites and language and custom even yet recalls much of the past. To the north was the seat of the warlike Chickasaws, a race probably never actually defeated by the white man. The central portion of the State was occupied by the Choctaws, possibly the largest of all the Southern tribes and certainly the one most friendly to our own race. The coast, including Mobile, also has its peculiar remains and was the home of tribes with whom the whites came first in contact. I do not know any State where so much unites to make the study interesting and profitable. The many towns and trails especially remain to be identified by such careful work as Mr. Halbert and others are doing, and every now and then new mounds and antiquities are discovered. Chief of all, however, is the great Nanih Waiya Mound, the fabled origin of the Choctaw race. I believe the State is doing something towards the education of the Indians. Can it not be induced to purchase and preserve Nanih Waiya and some of the Indian sites? The white man as a rule cares nothing for antiquity, nothing for the antiquities of his own race. Every year something is blotted out by the plow or by vandals, and, as the State grows in wealth and prosperity, she will lose in marks of the past. Private enterprise can do little, and direct efforts of this society can do hardly more than secure descriptions. It is for the State, as the general trustee for the public good, to interest itself and preserve for future generations the remains of the past. This society could do nothing better than, by all the influence of its members and friends, press the adoption of such legislation.

I think enough has been said to show the importance of the

study of archaeology. It touches or embraces the beginnings of everything that strikes down its roots into the time before history began. Archaeology digs in the ground for implements, weapons, dress, ornaments, and even skeletons; it finds the elements common to languages and infers the original speech; it traces games, customs, superstitions and legends back and restores primeval mind. It marks off the ages of human progress before the alphabet was invented or history born. It goes back even of race divisions, to the beginning when God created man, and discovers that purpose which runs increasing through the ages. I must confess that my mind turns with greater interest to the study of beginnings than to the study of the completer civilization around us. This is so familiar that every one can know something about it, he who runs may read. But we can as little fully understand even that without knowing its origin as we can comprehend the character of a man without knowing his ancestry and education.⁹ I am not an expert, but it may be that as in other branches of science one who is not engaged on the details can have the better general idea. A dweller on Mont Blanc will know more about the glaciers, fauna and the flora of that mountain, but it is one off at a distance who gets the best impression of its magnificent appearance as a whole. Let this be my excuse for preceding in this discussion investigators who are really my teachers.

⁹ In the same way there is a later phase of history which is really anachaeological: I mean what we ordinarily call the middle ages, including also in a sense the later years of the Roman Empire. Old things were then going to pieces, it is true, but new things were springing into life without anybody's knowing the one process or the other, and without there being written record of the change. The mediaeval period is therefore the ancestor of modern civilization.

THE CHOCTAW CREATION LEGEND.

BY H. S. HALBERT.¹

Nanìh Waiya occupies a unique position in Choctaw folklore in its intimate connection with both the creation legend and the migration legend of the Choctaw people. The first description on record of Nanìh Waiya with the Choctaw belief that it was the mother of their race is to be found in Adair's *American Indians*, published in 1775, though the author has made a mistake in the location of the mound. This statement of Adair's is positive evidence that this belief was current among the Choctaws fully one hundred and fifty years ago. And prior to his day no one can tell for how many centuries it may have been an orthodox article of Choctaw faith. This belief is not yet extinct. For even in this, the first year of the twentieth century, there are yet to be found, at several places in Mississippi, some old-fashioned Choctaws who are most implicit believers in Nanìh Waiya's being the mother of their race. A certain old man, Solomon Lo-shu-mi-tubbee, of Conehatta, will even give vent to an outburst of wrath, if any Choctaw in his presence should express any incredulity in regard to this ancient ancestral belief. During the various emigrations from Mississippi, between 1830 and 1840, many Choctaws in their opposition to emigration declared that they would never go West and abandon their mother; and that as long as Nanìh Waiya stood, they would stay and live in the land of their birth.

It is not obvious and perhaps cannot be known whether there is any connection between the creation legend and the migration legend; whether one was developed from the other. It is doubtful whether there are any traces of historic truth in the migration legend. It can be safely assumed, almost demonstrated, that the disintegration of the primordial tribe and the consequent differentiation, by which the various branches of the Choctaw-Muscogee family were formed, took place some-

¹ A biographical sketch of the author of this article will be found in the *Publications of the Mississippi Historical Society*, Vol. III., p. 353, footnote.—EDITOR.

where within the bounds of the Gulf States. This event occurred at least four thousand years ago; for it would undoubtedly require that long period of time to bring about the present existing divergencies in the several Choctaw-Muscogee dialects. If there was ever any migration from the West, or even from the North, it was by the parent tribe and in a very remote past, too remote for even the faintest tradition to have been handed down to modern times. It is not reasonable to suppose that the Choctaw-Muscogee tribes should have been formed by differentiation in some far off region and that these kindred tribes should have emigrated and made new homes adjacent to each other in the Gulf States. As the Choctaw dialect is of a more archaic type than the other dialects of the Choctaw-Muscogee family, it is possible that the Choctaw territory was the home of the primordial tribe. And it is possible, too, that the Nanih Waiya region itself was the very center of the habitat of the parent stock.

It is somewhat singular that while the migration legend is now utterly forgotten by the Mississippi Choctaws, the creation legend is still well known. Twenty years ago the writer had a long conversation with old Hopahkitubbee of Bogue Chitto, who remembered the migration legend, but since his death, all knowledge of this legend has disappeared.

There are some versions of the creation legend that contain modern interpolations. The one given in this paper is the oldest version unmingled with modern accretions that the writer has been able to discover among the Mississippi Choctaws. It was taken down, word for word, in his native tongue, from the lips of Isaac Pistonatubbee, who died recently in Newton county at the age of some eighty years. Pistonatubbee stated that in his boyhood he had often heard the legend, just as he gave it, from some of the old Choctaw mingoes. While perhaps not apparent in the text, Pistonatubbee stated that the creation of the different tribes all occurred in the same day.

Apart from the Choctaw belief that the first parents of the red people were born of Nanih Waiya, their mother, it is possible that the legend is a dim, confused tradition of the segregation from the primordial stock of various colonies that ultimately became differentiated into the several tribes of the Choctaw-Muscogee family; the Choctaws alone, according to the le-

gend, remaining in the primitive seats. If this interpretation is admissible, the insertion in the legend of the Cherokees, an allophylic people, must be considered a comparatively modern interpolation.

Pistonatubbee's version in his native language runs as follows:¹

Hopahki fehna 'kash hattak vt atoba vmmona kvt Nvnih Waiya yo atobat akohcha tok oke. Mvskoki yosh tikba Nvnih Waiya akohcha mvt Nvnih Waiya yakni banaiya yo illaiohofka mvt shilvt taha mvt hvshi akohchaka ilhkoli tok oke. Atuk osh Itombikbi ola ho afoha mvt hakchuma shunka mvt luak bohli tok oke.

Mihma Chelaki yosh atuklant Nvnih Waiya akohcha tok oke. Mihmvt yakni banaiya ya illaiohofka mvt shilvt taha mvt akni vt atia tok *a* iakaiyvt ilhkoli tok oke. Mvskoki vt afohvt hakchuma ashunka cha ia tok *o*, luak vt itonla tok *o*, kowi vt lua tok *o* Chelaki vt Mvskoki vt atia tok *a* ik ithano mvt yoshoba cha filami cha falvmmi imma ko ilhkoli tok osh falvmmi imma ko ont aioklachi tok oke.

Mihma Chikasha yosh atuchinat Nvnih Waiya akocha tok oke. Mihmvt yakni banaiya ya illaiohofka mvt shilvt taha mvt Chelaki vt atia tok *a* iakaiyvt ilhkoli tok osh Chelaki vt ayoshoba tok *a* ona mvt filami mvt Chelaki vt atia tok akinli ho iakaiyvt ilhkoli tok oke. Atuk osh Chikasha vt Chelaki vt ont aioklachi tok *a* ona mvt Chelaki bilinka aioklachi tok oke.

Mihma Chahtah yosh ont aiushta ma Nvnih Waiya yvmma ishtaiopi akohcha tok oke. Mihmvt yakni banaiya ya illaiohofka mvt shilvt taha mvt kanima ik aiyo hosh yakni ilap akinli ho abinohli tok osh Chahta vt aiasha hoke.

TRANSLATION.

A very long time ago the first creation of men was in Nanih Waiya; and there they were made and there they came forth. The Muscogees first came out of Nanih Waiya, and they then sunned themselves on Nanih Waiya's earthen rampart, and when they got dry they went to the east. On this side of the

¹ In the pronunciation of Choctaw the vowels have the continental sound; "o" invariably has the sound of "o" in note. The twenty-second letter of the Choctaw alphabet "v," has the sound of "a" in vial; to some ears, however, the same as "u" in tub. The Choctaw nasal vowels, from the want of type, are represented by italic vowels.

Tombigbee, there they rested and as they were smoking tobacco they dropped some fire.

The Cherokees next came out of Nanih Waiya. And they sunned themselves on the earthen rampart, and when they got dry they went and followed the trail of the elder tribe. And at the place where the Muscogees had stopped and rested, and where they had smoked tobacco, there was fire and the woods were burnt, and the Cherokees could not find the Muscogees' trail, so they got lost and turned aside and went towards the north and there towards the north they settled and made a people.

And the Chickasaws third came out of Nanih Waiya. And then they sunned themselves on the earthen rampart, and when they got dry they went and followed the Cherokees' trail; and when they got to where the Cherokees had got lost, they turned aside and went on and followed the Cherokees' trail. And when they got to where the Cherokees had settled and made a people, they settled and made a people close to the Cherokees.

And the Choctaws fourth and last came out of Nanih Waiya. And they then sunned themselves on the earthen rampart and when they got dry, they did not go anywhere but settled down in this very land and it is the Choctaws' home.

THE LAST INDIAN COUNCIL ON NOXUBEE RIVER.

BY H. S. HALBERT.

In 1830 Captain Chishahoma, or Red Postoak, was the leading chief of the Okla hannali or the Six Towns Indians, who lived in Newton, Jasper and Smith counties, but principally in Jasper. This chief was present for a number of days at the treaty of Dancing Rabbit. When the question of a treaty or no treaty was submitted to the Choctaws and the majority there present voted against it, Chishahoma considered this action as final and that no treaty would be made. He accordingly left the treaty ground and started home. While on his return journey he was overtaken by an Indian who told him that after his departure a treaty had been made. Acting upon this information, the day after his arrival home, Red Postoak called together a council of the Six Towns people. Upon convening and the purpose of the council being made known, it was ascertained that all of the Six Towns Indians were opposed to the treaty and declared that they would not go west. Chishahoma himself was opposed to emigration and made several speeches against it. The council having thus unanimously declared against emigration then adjourned.

In the spring of 1831, "about the coming of grass," word came to Chishahoma that there was a provision in the treaty by which all the Choctaws who wished to remain in Mississippi and hold their land could do so by making application to Colonel William Ward, the Choctaw agent, within six months and having their names registered; otherwise they could not hold their lands. This was the well known 14th article of the treaty, which reads as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the States, shall be permitted to do so, by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the

ratification of this treaty, in that case a grant in fee-simple shall issue; said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Upon receiving the information in regard to this provision of the treaty, Red Postoak dispatched runners to the Six Towns people to notify them to assemble in council "in four sleeps" so as to ascertain who wished to stay in Mississippi, hold their lands and become citizens. The council convened at the house of Spana Mingo, situated near the present village of Garlandville, in Jasper county. The session lasted one day and a night. Nearly all the Six Towns people were present. The matter was discussed in open council and every talk made was in opposition to emigration. When the question was put to vote the entire council to a man voted to stay and hold their lands under the treaty. This matter being settled, the next question was how or in what manner must they make their applications and get their names registered. After full discussion the council appointed Chishahoma and Toboka as delegates to visit Colonel Ward and apply to him to register the names of all the Six Towns heads of families that wished to stay and secure property rights in Mississippi. This determination of the council being expressed, a way was then devised to make an enrollment of all the heads of the families that wished to remain in the State. This was done by means of small sticks, the usual Choctaw method of official or tribal enumeration. The sticks were generally of split cane; but on this occasion they were made of prairie weeds. A stick about six or eight inches long represented the head of a family and was called the family stick. A smaller stick was made for each male child over ten years of age at the date of the treaty and these small sticks were tied to the family stick. For each female child over ten years of age at the date of the treaty a notch was cut on the middle of the family stick; and for every child, male or female, under ten years of age at the date of the treaty a notch was cut on the family stick near its end. Adopted children in this aboriginal enrollment were put on the same footing as real children and designated in the same manner. A leading man or chief was appointed from each town to superintend the preparation of these sticks and see that they corresponded with the

numbers and ages of the children. These persons were as follows: Chishahoma for Chinakbi Town; Mahubbee for Okata-laia Town; Elatubbee for Inkillis Tamaha; Toka Hadjo for Tala Town; Malachubbee for Nashwaiya; and Shikopanowa for Bishkun.

The sticks when finished, were tied up in six bundles for the six towns, each bundle containing the sticks of the people of its respective town. The six bundles were then tied up into one large bundle, about ten inches in diameter, and handed over to Chishahoma, who with his brother delegate, either the next morning or the morning after, started off up to the Choctaw Agency.

The Choctaw Agency was situated on the north side of the Robinson road in Oktibbeha county, about one and a half miles east of Noxubee river. The agent's house, which fronted the road, consisted of two large rooms, made of hewn logs, with a passage between and porch in front. Underneath was a cellar, or perhaps better described, a kind of basement made of brick, which was used by Colonel Ward as a dungeon for the confinement of arrested fugitive slaves. This dungeon was well furnished with stocks. On the premises were the usual outbuildings, among these, on the north side of the road, was the store house, which stood east of the agent's house, and the blacksmith shop, which stood west. On the south side of the road, some fifty yards to the southwest, were the stables.

As a digression, it may be stated that many of the well to do Choctaws were slave owners and were, of course, firm believers in the enforcement of the fugitive slave laws of the adjoining States. It occasionally happened that negroes in Mississippi and Alabama would run away from their masters and flee to the Choctaw Nation, where they vainly hoped to find an asylum, but found to their sorrow that they were promptly arrested by the Choctaws and delivered to Colonel Ward who at once confined them in stocks in his dungeon, where they remained until they were reclaimed by their owners.

The Choctaw Agency was abandoned in 1832. After its abandonment, the agent's house was occupied as a dwelling house, for many years, by several different families. At some time in the late '40's, the buildings were all torn down and removed. The present residence of Mr. Charles Evans, situated

on the south side of the Robinson road, stands exactly opposite the site of the agent's house.

Upon their arrival at the Agency, Chishahoma and Toboka found Colonel Ward at home engaged in writing. Red Postoak made known to the Colonel the object of their visit, saying that he understood that all who wished to stay in the country five years could have land under the treaty, and that he had come to register himself and his people, so that they might secure the benefits of that provision of the treaty. Ward in reply told his visitors that such were the terms of the treaty and that they could be registered. The Indians seated themselves, Ward took down his book and the business began. Middleton McKey, the Government interpreter, was present and assisted in the business. Chishahoma would draw a stick from the bundle, give the name of the head of the family and the numbers and ages of the children, all of which Ward would register in his book. After registering some fifty names, Ward arose, pushed the book aside and took a drink of liquor. When Ward turned around after drinking, Chishahoma told him through McKey that he had not given him all the names that he wished to have registered. Ward replied that he was very busy and had a great deal to do and that Chishahoma must go home and come back after awhile and that then he would put down all the remaining names that he wished to have registered. Chishahoma insisted upon the completion of the registration. But Ward was obstinate; telling him that that would do; that he could leave the sticks with him and return again after awhile and see that all was right. Finally, through the representations of the interpreter, Red Postoak became satisfied. He considered that his own name was registered as well as those that he had given in, and that their homes were secured, and that the remaining names would surely be registered in due time. Leaving the remainder of the sticks with Colonel Ward, he and his companion started for home with the intention of returning in a few weeks and finishing their business. Red Postoak reported the matter to his people, stating that Ward said that they must come again. This report seems to have given satisfaction, and every one supposed that Ward would act justly and be as good as his word.

About the middle of May, Colonel Ward instructed Middle-

ton McKey to visit the towns of the nation and invite the Choctaws to attend a council on Noxubee river, to be held on the 13th day of June. The object of this council was to ascertain what Indians desired to remain in the country, and, having their names registered, secure the benefits of the five years' stay. It afterwards appeared that from some cause McKey did not visit all the parts of the nation.

About the time "when blackberries were getting ripe," Red Postoak and Toboka returned to the agency to see about their unfinished business. It appears that they had not been notified of the council that was to convene on Noxubee river. On their way to the agency they met an Indian who told them that the agent's book containing the names of the Six Towns Indians who had been registered for the five years' stay was destroyed; but that there was to be a council of the Choctaws that was to take place in two or three sleeps on Noxubee river; and at this place all the Choctaws that wished to stay in the country could register their names. This was the council appointed by Colonel Ward. Upon receiving this news Chishahoma and Toboka concluded it best to make out new sticks, which they did accordingly. It was mainly the work of Toboka, who was a very smart man and possessed of a very great memory in calling to mind the names of their people who desired their names to be registered. To those familiar with the habits of life and the mental acquisitions of the Choctaws living under the old regime, this feat of Toboka's memory will excite no surprise or incredulity. Unlike man in a civilized condition, the old time Choctaw, who had a world of leisure, had comparatively but few objects or ideas to impress upon his memory. Living under such conditions, it was not unusual to find an Indian who was thoroughly familiar with the name, age, and sex of every member of his clan or tribe.

When Chishahoma and Toboka reached the agency, they found Colonel Ward absent at the council, to which they went without delay.

The Choctaw council house was situated on a poplar bluff or knoll, in an open forest, on the east bank of Noxubee river, about two and a half miles southeast of the agency, and about four hundred yards above the Noxubee county line. The place is now locally known as Council Bluff. The council house was

made of split poplar logs and about twenty by thirty feet in dimensions. The gable ends were east and west, with door on the north. The house was doubtless built at the time of the establishment of the agency on the Robinson road. A few years ago, some of the ruins of the council house could still be seen, but have since been destroyed by forest fires.

The Indians assembled on the council ground on Sunday, June 12th. There were nearly a thousand present, of all ages and both sexes. Many were there from the headwaters of Pearl river, Leaf river, and Sukenatcha. That day, whether at the agency or the council ground is uncertain, Ward told the Indians that this was the last notice he would give them on the subject of registration; that they must come and register their names the next day; that if they did not do so, they would have no other chance as this was the last appointment he would make.

The next morning, June 13th, Colonel Ward met the Indians at the council ground. A rude table or platform had been made outside of the council house which Ward made use of as a kind of writing desk. When the business of the day opened, Ward instructed Middleton McKey to tell the Indians who did not wish to emigrate that they had the right under the treaty to stay in the country and hold their lands, and that he was ready to receive their names and register them in his book. McKey faithfully interpreted this to the Indians and the work of registration began. After the business of the day had considerably advanced, Chishahoma and Toboka came forward and presented themselves to the agent. A number of Indians from Pearl, Leaf and Sukenatcha were with them. It seems that in addition to his own people Chishahoma was acting as spokesman for these parties so as to help them in registering their names. He had his bundle of sticks in his hands. He told McKey to inform the agent that these sticks represented those of his people who were unwilling to emigrate, and who wished to remain in the country, become citizens and hold their lands; and that he and Toboka would give in the name of each head of family and the ages and numbers of their children. Ward at this time looked up at Red Postoak and asked McKey who he was, where he lived and what Indians he wished to register. McKey replied that it was Red Postoak, that he lived in Six

Towns and it was the Six Towns Indians that he wished to have registered. Ward was now much under the influence of strong drink. He remarked that there were too many registered already and told McKey to tell Red Postoak that they must go west of the Mississippi river, where there was plenty of land for them; that if they wanted land they must go there and get it; that they could get none here. Red Postoak, in reply to Ward, said that he was their agent, and that he thought that he was the proper person to apply to; that when he was at the agency before, he told him he could stay, and he wished to know why it was that he now said that they could not stay. Ward replied that there were too many of them; then taking and untying the bundle of sticks he threw them away. Red Postoak now turned away in great anger. Another chief, Atonamastubbee, who also had a large bundle of sticks representing some Sukenatcha Indians, was at the same time treated by Ward in exactly the same manner as he treated Chishahoma. Ward evidently took advantage of these Indians, knowing that they came from isolated localities, were ignorant and had no active and well informed leaders to stand up for them and their rights.

This action of Colonel Ward created considerable excitement among all present, both whites and Choctaws, as it was a plain and palpable violation of the treaty. The Indians retired from Ward's presence greatly distressed. They talked much about it, saying that this was not what was promised to them in the treaty, nor what was promised to them by Major Eaton in his last talk at Dancing Rabbit. They said they would go home and live five years on their lands, as they felt confident that the Government would not turn them off, since they were promised by the Commissioners at Dancing Rabbit, and it was so put down in the treaty that those wishing to do so might stay and have their lands and not be forced over the Mississippi. Many of them said that they would die before they would go west. The white people present endeavored to encourage the Indians, advising them to go home and stay on their lands and that the Government would treat them honestly. McKey, the interpreter, also protested strongly against this action of Colonel Ward's, saying that it was a violation of the treaty, for the agent had made him in the morning tell the Indians that all had

the right to register and stay here and hold their lands if they did not choose to move; and now to turn them off that way looked too bad, and the Indians might say that he did not interpret right.

Such was Colonel Ward's action at the council ground. His register shows only the names of thirteen heads of families registered on that day. These, with the exception of two white men that had Indian wives, were all intelligent and prominent half-breeds, whose names Ward would doubtless have found it dangerous to refuse to register. He possibly may have registered the names of some others, which afterwards, without incurring any personal risk, he erased, in accordance with similar fraudulent transactions on his part, as can be proved by the records of the Government.

To digress somewhat, the last talk made by Major Eaton at Dancing Rabbit, referred to above by the Indian claimants, was long remembered by the Choctaws of Mississippi. It was made on the 28th of September, just after signing the supplement to the treaty. Not even an abstract of this talk has come down to us, but from the deposition of Hiahka, made before the Commissioners, Graves and Claiborne, at Hopahka in 1843, it is evident that the talk was simply a full explanation of the 14th and 19th articles of the treaty. This talk caused many of the Choctaws to become reconciled to the treaty.

Colonel Ward remained at the council ground all day, tradition says, in a more or less intoxicated condition. Soon after the rejection of the claims of Chishahoma and Atonamastubbee, a council was convened by the Choctaws in the poplar grove near the council house. In this council the question of registration was discussed at great length. Many speeches were made on both sides, some in favor of emigration, others in favor of registration. Mingo Moshulitubbee and David Folsom were present, both of whom were opposed to their people registering and they made most impassioned speeches against this policy. It is a matter of regret that history has failed to preserve any of the Indian speeches delivered on this occasion. But judging from the recorded Choctaw utterances current at that day and time, which are the same as those handed down by tradition, it is a most reasonable supposition that the orators opposed to emigration laid much stress upon the fact that the

majority of the Choctaw people were opposed to the treaty of Dancing Rabbit; that their chiefs had exceeded their authority in making this treaty. But to give satisfaction to the Choctaws the 14th article was inserted. And now it was their resolve not to emigrate but to stay and hold their lands under this article. On the other hand, without doubt, the most potent argument brought forward by the orators of the emigration party against the policy of remaining in the country was the difficulty of living under the white man's laws. The Choctaws could not speak English; they were ignorant and could not understand the white man's ways; they could not live happily under the hard laws of Mississippi; and so it would be best for them not to register to remain here, but all to go west. After a long and stormy discussion, in which the opposing parties could come to no agreement, late in the afternoon, the council broke up in confusion. None were registered after the close of the council. No doubt, parties so disposed would have found it useless to apply after Colonel Ward's unjust treatment of Chishahoma and Atonamastubbee. Early the next morning, the Choctaws packed up their baggage and all returned to their homes. And a sore task it must have been to Chishahoma, Atonamastubbee, and others to bear the tidings of disappointment to their expectant people, who so passionately desired to live and die in the land of their nativity.

Many of the registration party that attended this council, became very much discouraged at the prospect of losing their lands, and they eventually emigrated west. Atonamastubbee emigrated west with all his people in 1836. Chishahoma lived and died in Mississippi. Many of his people emigrated, some before and others after his death. A large number, however, remained, whose descendants still live in Mississippi.

Colonel Ward died a few years after this council, but this and numerous similar unrighteous actions of his, all of which can be verified by the records of the Government, have fastened a lasting stigma upon his name. For near a score of years these actions were not only destined to entail sorrow and suffering upon the Indians of Mississippi, but were a continual source of perplexity to the State and National governments. The deleterious effects of Colonel Ward's actions are visible in

Mississippi even at the present day. Verily, the evil that men do lives after them.

Such is the story of the last Indian council on Noxubee river, a story that stands out only as a single episode in that long "century of dishonor" of the dealings of the National Government or its representatives with our aboriginal people, the memory of which will ever remain on the pages of history as a shame and a reproach to the American people.

Notes.—This account of the last Indian council on Noxubee River is, in a great measure, collated and compiled from the case of the Choctaw Nation vs. the United States, No. 12, 742, *U. S. Court of Claims*, pp. 54-60, 181-183, 260-262, 809-828, 866-884, 888, 895-898, and 1121. Some minor facts in the narrative are corroborated by the late Mr. Haywood Lincecum, of Noxubee County, who, as a boy, accompanied his father, Grabel Lincecum, to the council.

The description of the Agency and the council house is derived from old citizens who had seen them.

As stated, the council house was about two miles and a half from the Agency. In some of the Choctaw depositions the distance is given as one or two miles. The deponents evidently had in mind the Choctaw mile, which is longer than the English mile. Three Choctaw miles, for instance, are equivalent to about four and a half or five English miles.

The exact date of the council is fixed from the deposition of Adam James, in connection with Ward's Register. James in his deposition states that he registered at this council on Noxubee, and Ward's book gives the date of his registration as June 13th, 1831.

THE REAL PHILIP NOLAN.

(A communication addressed to the Secretary of the Mississippi Historical Society by the Rev. Edward Everett Hale.¹)

ROXBURY, MASS., *April 17, 1901.*

MY DEAR SIR: I promised you in reply to your favor of December 7th, 1899, that I would try to bring together some notes on Philip Nolan for the Mississippi Historical Society.

I have never forgotten that promise, and I have many times addressed myself to the enterprise of fulfilling it. But I have had the same difficulty which you have, my notes are so fragmentary that I cannot make out any connected narrative.

I take the liberty, however, to enclose to you a parcel of

¹ Rev. Edward Everett Hale was born in Boston, Mass., in 1822. He was graduated at Harvard with the degree of A. B. in 1839. Three years later he received his A. M. degree from the same institution. In 1842 he was licensed to preach by the Boston Association of Unitarian Congregational ministers. Four years later he accepted a permanent charge at Worcester, Mass., where he remained for ten years. In 1856 he became pastor of the South Congregational church, Boston, Mass., which position he filled until 1899, when he resigned and became pastor emeritus.

He originated the charitable organization known as the "Hany Wardsworth Club," which had at one time a membership of over 50,000. He also assisted in the organization of the "Look-up Legion" in the Sunday schools. He was chosen a counsellor of the Chautauqua circle, with which work he has been intimately associated for several years. He is a member of the American Philosophical Society, of the Massachusetts Historical Society, and an honorary member of the Geographical Society of the Republic of Mexico.

Although Dr. Hale has devoted much of his time and attention to christian and humanitarian work, his writings have won for him a lasting place in the literary history of the United States. He has edited from time to time a large number of periodicals of high grade and has written many interesting books. In his story entitled *A Man Without a Country* (1863) he accidentally hit upon the name of Philip Nolan for one of his characters. Very much to his surprise he afterwards found that Philip Nolan was a real character in Southern history. Feeling that he had done an injustice to Nolan in his former story, he wrote another story entitled "Philip Nolan's Friend; or, 'Show Your Passports,'" which was published in *Scribner's Monthly* in 1876. In the communication here published he has given to the public for the first time numerous bits of information he has collected on the real Nolan, through the many years of an active literary life.

More detailed sketches of Dr. Hale's life will be found in the *Cyclopedia of American Biographies*, Vol. III.; *Who's Who in America*; and the *Review of Reviews* for May, 1901.—EDITOR.

memoranda which you can submit to the Society in any form you like. You know better than I do probably, that in the archives of your State, preserved I think at Jackson, at the present moment, there are the records of the territorial government, and that in these records there are references, at least to Nolan's last expedition into Texas, and possibly to earlier ones. When the Federal army occupied the city of Jackson, before the capture of Vicksburg, one of our officers visited the State House. He told me that he found, I think on the floor of the Secretary of State's room, a part of the inquiry which was made about Nolan in the autumn of 1800, when he had been detained at Natchez by the United States marshal on the suspicion that he was attempting an invasion of Spanish territory.

The examination which followed showed that he had the pass of the Spanish governor of Orleans, and Nolan and his party were permitted to go forward.

You will remember that Nolan had at that time married Fanny Lintot, who was connected—I don't know how—with the Miner family, whose residence was on the west side of the Mississippi. It is the same house, "Concordia," which has just been destroyed. As her son and Nolan's was born after Nolan left, the boy never saw his own father. But he died young, and I think he was also called Philip Nolan. I take it for granted that you know more about these records in the capital of Mississippi than I do. I should be greatly indebted to you if you can send me any memoranda with regard to them. My principal source of information with regard to Nolan himself, was the Honorable John Mason Brown, who died in Louisville a few years ago. He was the son of John Mason Brown who died in Frankfort, Kentucky, in 1867.

In his correspondence Mr. Brown told me that Philip Nolan was born in Frankfort in a house which I think he remembered himself. I think you may be interested in seeing two of his early letters to me, and I therefore enclose them to you, begging you to return them to me as soon as you can. I do not find any date given for Nolan's birth, nor did I find any afterwards.

You are undoubtedly familiar with the references to him in Wilkinson's *Memoirs*. As you know, I believe, it was to the mere accident that Wilkinson made this reference that I took

Nolan's name for the name of my hero. In Wilkinson's *Memoirs*, he refers to Nolan once and again when it is convenient to him. I thought it was Stephen Nolan, and I called my man Philip Nolan, but as it proved, I took the real name.

We now know that Wilkinson was in the pay of the Spanish government through all the latter years of the Eighteenth century, and probably through the beginning of the Nineteenth. This was suspected here, but he succeeded in covering his tracks so fully that he was never convicted of it in his life time. It was not until Mr. Gayarré went to Spain that he found the full detail of this treachery in the Spanish records. But I do not know how far Philip Nolan had to do with these transactions. I have myself an autograph of Nolan's, which has an endorsement of a letter from Wilkinson. The whole note may be of interest to you. It bears the date, as you see, of September 22, 1796, and it begins with Wilkinson's own handwriting.

"Sir:

For the 12,000 acres of Land sold to your self, & messrs. Ralph & Jonas Phillips, as per indenture dated the 15th inst, please to pay Mr. Philip Nolan or order two thousand Dollars worth of Merchantdize, & his receipt shall be your discharge for so much.

JA WILKINSON.

Sept. 22nd, 1796.
Mr. Abijah Hunt.

Then comes Hunt's acceptance, "Accepted by A. Hunt."

And then in Nolan's rather fine handwriting:

"Received Two thousand Dollars worth of Merchandize on Account of the above order, Cincinnati 28th Sept. 1796.

PHIL NOLAN."

I do not think that I have any memorandum of Nolan's life earlier than this, but this seems to show that he and Wilkinson were quite closely allied in business as early as that time.

Of what followed I have given in my story of *Philip Nolan's Friends* as good an account as it was then in my power to give, and I do not think of anything which I have learned since I wrote that book which has induced me to change a word in the statement of the book itself or in the preface. In April, 1876, I spent a half a day in looking through Wilkinson's papers. At that time they were in a large chest in the possession of Wilkinson's grandson, in the city of Louisville, where I was visiting. An introduction from Colonel Brown was sufficient to persuade

the proprietor to show me the whole collection. It was evident enough to me that Wilkinson had gone over them with the utmost care, eliminating from them every statement of his own treason. This was a matter of course. I do not think that I found any correspondence with Nolan. If I had, I certainly should have copied it, and I find no such entry on my memoranda. So soon as I returned to Boston I addressed General Belknap, who was at that time head of the War Department, to urge upon him the importance of the purchase of this extraordinary collection of papers. In this collection I saw the original letter from Burgoyne to Gates, proposing the surrender at Saratoga. It is the same letter which is facsimiled in Wilkinson's *Letters and Memoirs*, and it bore the marks of impression taken by the engraver for that facsimile. I was so sure that the Government would buy this collection that I did not concern myself so much, as I should have done, about copying from it. In it, however, was the whole history of the proposal of John Adams, when he was President, to move an army from Cincinnati down the river and take New Orleans. This army was to be under the care of General Hamilton.

Unfortunately, just after my letter to General Belknap was received at Washington, there turned up the whole misery of his exposure in some fraudulent transactions, and the whole business, as I suppose, went to the wall on that account. I ought to have followed it up, but I did not, and I had the mortification, a year ago, of learning that the crazy grandson of Wilkinson had taken this whole box of papers out into a public field in Louisville, and *burned* it by way of expressing his indignation with the Government which never chose to purchase the papers of an arrant traitor. So far as I know, therefore, my notes taken on an April afternoon, as I sat on the top of that box, are the only memorials of its curious contents. But as I say, I do not think there was any statement regarding Nolan there.

I have under my hand, as I write, the Spanish report of the trial of the correspondents of Nolan who were taken prisoners before Nolan was killed. These came to me through Mr. Quintero, who, by good fortune, happened to be at Monterey when our army took that city. There he possessed himself of the original documents, whether rightly or wrongly I have never

inquired. What I know is that I have the original documents of which the title page is as follows:

Provincia de Texas ano de 1801
Numerco 168 L. V.

CRIMINAL

Contra el Americano Santiago Cook
Antonio Leal, la Muger Gertrudis
delos santos y el Frances Pedro Gere-
mias Longueville inviados de co-
rrespondencias secretas con Don Feli-
pe Nolan.

Tues Fiscabel Sors Dⁿ Juan Bant^a, Elguezabiel
Fen^e Coray Gov^{or}de la Prov^ade ros Texas.

Escrivano

Dⁿ Andres Ben^{to} Coubiere.

N. 54.

I have intrusted this document to a competent Spanish scholar and have a translation of it; and if the Mississippi Historical Society are willing to print that translation I will gladly send it to them for that purpose.² But if you think that they do not want to print it, I shall be pleased to know at once. It will make twenty thousand words, more or less. It refers to one or two of the unfortunate prisoners whom Pike afterwards saw at the mines in New Mexico. I suppose you are familiar with his narrative of his interviews with those people. It is contained in his *Journal* which has been reprinted within a few years. What I could wish is that some person as well informed in the matter as yourself would prepare for publication a life of Philip Nolan,—I mean of the real Philip Nolan. I have from time to time tried to urge the Texan senators to insist upon it that a statue of Philip Nolan shall be one of the Texan statues in the Statuary Hall at Washington. I believe that this murder of Nolan in 1801 was the beginning of that hatred of the Spanish and Spain which characterises the whole of the Southwest up to the present moment. I have ventured to say this in the preface to my own story which was reprinted by Little & Brown in the year of the Spanish war. I send you under another cover the edition of 1897 in which I have stated

² See Appendix to this contribution.—EDITOR.

this impression. If you will look on page 18 you will find the reference which I made to it there. I enclose a copy of what I am going to say in a book of my own called *Memories and Memoirs of the Nineteenth Century*.³

I believe the place where Nolan was murdered to be Waco.

“* * * * For not a day passes to-day but we are reminded of the bitter hatred with which the rank and file of the Mississippi valley hated Spain and her officers for the century which we are studying. On the 26th of March, long before anybody in the Mississippi valley knew whether John Adams or Aaron Burr or Thomas Jefferson was President of the United States, Philip Nolan, a well known Kentuckian, at the head of a party of western men, was killed, murdered, I might write, by the officers of the King of Spain. His companions were all taken prisoners and made to work in the Spanish mines. From time to time, rumors or messages would come back from them. On the 11th of November, 1807, Ephraim Blackburn, one of their number, was hanged. Observe, they had all been acquitted by the court which tried them. They were to be decimated. But there were but nine of them left, from the twenty companions of Nolan. A drum, a glass tumbler, and two dice were brought. The prisoners knelt and were blindfolded. Ephraim took the glass first and threw the dice. He threw three and one. This was the lowest throw and so he was hanged. How came these men in Texas and why did the Spaniards kill them?

“This Captain Philip Nolan was a Kentuckian, as I said, from Frankfort, Kentucky. As early as 1797, he called General Wilkinson his patron. Wilkinson was that consummate traitor and rascal who at that time commanded what was called the “legion of the west.” He was for many years in the pay of the King of Spain and the government of the United States. Since my own memory his receipts from his annual bribe from Spain have been found in the Spanish treasury by our historian, Mr. Gayarré. He is the same Wilkinson who was at Saratoga with Burgoyne and was so slow in carrying the news of the great surrender to Congress. Congress voted him a sword as a compliment, but old Dr. Witherspoon said, “We had better vote the laddie a pair of spurs.”

“Ninety-nine years after that surrender of Burgoyne and that slow ride from Saratoga to Philadelphia, I overhauled Wilkinson’s papers at Louisville, in Kentucky. With these hands I held, with these eyes I read Burgoyne’s proposal for the interview which led to the surrender and another note of his which Wilkinson had preserved.

“As early as 1797, Philip Nolan spoke of Wilkinson in these words: “I look forward to the conquest of Mexico by the United States and I expect my friend and patron the General will, in such event, give me a conspicuous command.” He expected the command in the expedition which John Adams and Hamilton were preparing at Cincinnati in the “new army,” as it was called. This army was to be commanded by Hamilton and a considerable part of it gathered at Cincinnati, which they called Fort Washington.* * * * *

“To this murder of Nolan and capture of his companions, I have to this moment of writing never been able to trace any memorandum in our official documents of the day. But Jefferson knew there was such a man as Nolan. He had addressed a letter to him about the wild horses of Texas, when he was Secretary of State, and Nolan had answered him.”

I have written once and again to the President of a well equipped college they have there, but I cannot find that they know or care anything about the fact that then and there Texan independence was born.

In this helter-skelter way my dear sir, I have given you the key to all that I really know about Philip Nolan. I have a copy of his portrait, a miniature on ivory, a copy which my daughter made in New Orleans in 1876. At that time I visited Mr. Miner of whose family was Fanny Lintot who is spoken of in my novel. I saw at that time an old negro who saw Philip Nolan when he was going out on the expedition which closed his life. Mr. William H. Reed, a friend of mine who was in the sanitary service of our Government at the end of the Civil War, says that he saw among the graves of the soldiers of a Louisiana regiment at City Point in Virginia, the grave of "Philip Nolan," a negro who was serving in the service of the nation against the Confederacy. This is the last memorial which I have of your hero and mine.

Accept these, my dear sir, as a late apology for my failure in preparing for the Historical Society the more elaborate paper which I hoped to send you. I cannot help hoping that you or some other gentleman may prepare that paper.

With great respect,

I have the honour to be,

Your obedient servant,

EDWARD E. HALE.

DR. FRANKLIN L. RILEY, *University, Miss.*

APPENDIX.

Province of Texas, A. D. 1801.

Number 168.

Criminal.

Against the American Jesse Cook, Anthony Leal, his wife, St. Gertrude, and Francis Peter Jeremiah Longueville, suspected of corresponding secretly with Mr. Philip Nolan.

Master, Fiscal Judge, Mr. John the Baptist of Elquezabal, Lieut. Col. and Governor of the Province of Texas.

Scrivener,

Andrew Benito Courbiere.

No. 54.

1st Declaration of the
American Jesse Cook.

In the town of San Fernando and Garrison of San Antonio of Bexar, on the twenty-third day of January, 1801, I, Mr. John the Baptist of Elquezabal, Lieut. Colonel of Cavalry and Provisional Governor of this Province of Texas, proceeded to the house Royal of said town (accompanied from the first by Lieut. Francisco Amangual and Ensign Joseph of Silva, both of the company of my office, as witnesses in the present procedure) where I found the prisoner, Jesse Cook, suspected of corresponding with the American, Mr. Philip Nolan, and having been commanded to appear in my presence and in that of the said witnesses, before them was put to him by me the following interrogatories:

Question. What he is called, and of what country he is a native, and what religion he professed? Answered, that he is called Jesse Cook, that he is a native of Philadelphia, and that he is a Roman Catholic.

Ques. If he is sufficiently acquainted with the Spanish language, or if he needs an interpreter to explain his declaration? Answered that he understood the Spanish language and that if he doubted any question he would call for the advice of the interpreter.

Ques. If he would promise by our Lord God and the sign of the cross to speak the truth concerning these interrogatories? Answered that he would promise and swear to speak the truth in answer to the questions.

Ques. In what he had been engaged for the past six years? Said that the first two years he was a provision dealer in the Black Islands, Province of Louisiana, trading with the inhabitants, the three following years he had been employed by Mr. Philip Nolan as a servant with a salary of twelve dollars per month, and from the month of January, 1800, in this place, Natches, and Nacog-

doches, until the month of April, and from that time until the present serving St. Gertrude with the pay of two horses delivered to him each month as appears from the declaration he presents.

Ques. If he knew where Philip Nolan was to be found, where he resided, and what time he was in this part, and with what persons he had traded? Said that he did not know the whereabouts of Nolan, that during the time declarant was in his service he went to the Black Islands, New Orleans, Natches, Rapido, Nacogdoches and San Antonio of Bexar, from there he returned in the same way to the Trinity River, where the declarant remained, Nolan having gone to Natches, and in January, 1800, the declarant went to said place, where he settled his accounts with Nolan and was dismissed from his service. That he did not know Nolan had trade with any other person than Mr. Clark, an inhabitant of New Orleans, from where he exported the goods for his business. He would add that when Nolan came from the Black Islands he brought goods from there.

Ques. What motive he had in coming with Nolan in the year 1797, what agreement he had with him as to occupation during the incursion that it was shown Nolan made in this Province? Said the reason he came with Nolan was to accommodate him for the salary he had stated. That he applied himself to the care of the ranch and horses that Nolan kept on the banks of the River of the Medina, that he went out in Nolan's company to care for the graziers to a place named Deep Gulch, and besides in the race Nolan was not skillful and the declarant went with him. And that for the safety of the horses he went and gathered them together in a pasture ground and a hut that he had found in a corner on the margin of said river.

Ques. What commission had Nolan given him last year—1800—that he came to gather the horses that were left with some of the inhabitants of this town, not being still in his service. Where these were carried, and what destination they had? Said that in regard to Nolan having left authority to St. Gertrude, the wife of Anthony Leal, in whose service he had found the declarant, she commanded him to come to gather the horses, of which they exported from her ten tame horses and twenty belonging to the graziers—between colts and mares, and having branded them on the way, he delivered to said St. Gertrude seventeen of both classes, that she still keeps in her possession.

Ques. How many letters he received in Nacogdoches from Nolan, who conveyed them to him, what matters they contained and from where? Said that only three, that the first was delivered by Luciano, an inhabitant of Nacogdoches, in December, 1799, the contents of which he did not know very well at present, and that Luciano was connected with Nolan. That the second was de-

livered to him by a servant of Anthony Leal, named Peter Harbo, whom Leal dispatched from the Rapido coming from Natches, in that Nolan charged him to solicit burros and he would pay \$50,—the last was conveyed by Mr. Pierre, who sent it by an Englishman that was in Nacogdoches. In that Nolan offered the goods that were necessary and that these letters he found in possession of the Commander of Nacogdoches. In respect to that the chief commander opened the trunk in which they were and the sack that was locked.

Ques. If he had secret correspondence with Nolan? Said he had not.

Ques. If he had not why had he written Nolan a letter directing him to burn it as soon as he had read it? Said that Nolan pretended there was another letter favoring him in his ideas, but the declarant never had a secret letter nor agreement over that misreport notwithstanding the charges he had made.

Ques. Why indeed should he be found innocent for he was suddenly absent with the horses of Nolan and without a passport from the Commander of Nacogdoches, where he went, how long he remained without business in that place, and why did St. Joseph go and come from Natches to his house? Said that St. Gertrude obtained a passport from the Commander to go with three men to conduct the horses, that he was included in the three, that they went to the Rapido for which place the said Commander, Mr. Michael Francis Miaguard, granted the license, and that he remained permanently in Nacogdoches, living on the ranch of Anthony Leal as his servant. That St. Joseph went to Natches anxious to be there married to an American woman, named Maria Hooper by the Fathers of Nacogdoches, but he did not believe he had contracted matrimony, and he came to the house of St. Gertrude for he was her brother.

Ques. If he knew the destination that Nolan gave to the horses and mules gathered in this Province, to whom they were sold, with what subjects of the United States he had maintained a correspondence, his employes, and the places where they lived? Said that Nolan had conveyed the horses and mules to Natches where he sold a part of them in that vicinity, that said Nolan had intimate friendship with the American General Wilkinson, for he had been his servant, and served him six years. That Nolan shoed to the declarant that this General had written that he would keep one hundred animals for the troops, but when they went out of Natches he does not yet know, and that he does not know another thing concerning this point.

Ques. What correspondence St. Gertrude had maintained with Nolan, for what motives, what favors she had received from Nolan, at what times they came, and how many times he had seen her with

him and in what places? Said that St. Gertrude and Nolan had maintained correspondence but the declarant did not know what about for he is ignorant of Spanish writing, that Mr. Nolan's man brought the letters and gave them to her by day, and that he had never seen St. Gertrude with Nolan anywhere.

Ques. Why he was arrested in the Rapido, what declaration he had taken, upon what points he had given answers, and if he knew the reason he was conducted here? Said that he was taken in the Rapido by inducement of the Commander of Nacogdoches, that there (in the Rapido) he had not given any declaration, that he only gave two personal bonds, and that he did not know why he was brought to San Antonio for no one had told him.

Ques. If he understood geography, and if he knew that Nolan had instructed correspondents in this art, and that he had formed some plans of this Province, and what became of them? Said that he did not understand geography, but indeed Nolan did. That he formed a map of this Province, and that he presented it to Sir Peter of Carondolet, and that he knew this for Nolan had said so in New Orleans before the declarant came in his company.

Ques. If he had anything to add or take from (this deposition having been read to him). Said that he had only to add that the map of this Province was made in presence of the declarant, being already in his company, and not as expressed in the foregoing question, and that the abstract from which Nolan made the map was carried from here before he knew the declarant. That in all the rest has nothing to add or take from it, and that what he has said is the truth under the obligation of the oath which he has taken, which he affirms and certifies and says he is thirty years old, and he subscribes with me and the witnesses over the citation that I certify.

Jesse Cook.

John the Baptist of Elquezabal.

Witness

Witness

Francis Amanqual.

Joseph Gervas Silva.

Declaration of Peter
Longueville.

Immediately I, the said Governor, commanded to appear before me and the two witnesses, Francis Pierre, whom I found a prisoner in the care of the guard, and being present I put to him the following interrogatories.

Ques. What religion he professed. Said, the Roman Catholic.

Ques. If he would swear by our God and the sign of the cross that he would speak the truth in regard to what he should be interrogated? Said that he would swear and promise.

Ques. What he is called and of where he is a native? Said he is called Peter Gerbas Longueville, and

that he is a native of the capital town of Bordeaux in France.

Ques. In what he had been engaged for the past six years? Said that for fifteen years he had been a resident of the Province of Texas. The first ten in Nacogdoches, dealing in various small matters that he conveyed to that town to sell there, and the remaining five years in going and returning from there to San Antonio of Bexar.

Ques. If he knew of what place Mr. Philip Nolan was a native, with what motive he came here to run the pasture lands, what time he accompanied him, what agreement he had with him, and in what capacity he served him? Said that he was acquainted with Nolan, that he had heard him say he was an Irishman, but he did not know for certain, that he was ignorant of the motive with which he came to run the pasture lands. That he served him for seven years as Steward having the care of his things.

Ques. If Nolan gathered a number of horses in this town, what destination he gave them, if he sold any, and to what persons, what employment the declarant had, and in what places he had been with Nolan? Said it appeared that Nolan bought horses in this town to take them to Natches, that he sold them to the Americans but declarant did not know to what individuals, and that the places he had been with Nolan are Natches, Rapido, Nacogdoches, and San Antonio of Bexar.

Ques. If he had an agreement of business with Nolan, intimate or secret conversation and upon what subjects? Said that he had never had any business agreement with Nolan, that he had various familiar conversations with him, but he did not now know upon what subjects, except the last time the declarant was in Natches, six months ago, where he saw Nolan who was expecting to get a passport to New Orleans to go to run the pasture lands to the north. That for this operation he carried (for fear that the Guarzas Indian would oppose him) twenty armed men, of these he abandoned two as deserters and delinquents. That the declarant met in Natches the Spaniards St. Joseph, and one Francis, husband of a woman Antonia (alias the unfolder) that these were anxious to come with him (having been in the service of Nolan when he exported the horses) and the declarant brought them, for which reason Nolan was angry. That he left five other Spaniards in his company, viz: Reyneros—a brother-in-law of Anthony Leal, Luciano, an inhabitant of Nacogdoches, In lano Lara, a soldier licensed by the Bahiad, I. Hinoposa, that he did not know where he was from, and a young man named Joseph Franche, a native of the Bay. And that he does not know another thing concerning this point.

Ques. If Nolan had directly or indirectly maintained

a correspondence with Mr. Cook? Said that he did not know.

Ques. If he had conveyed any letter from Nolan for Cook? Said he conveyed one that Nolan said was for St. Gertrude in which he said he sent the animals that were fatter than those in her possession, that he did not know whether the letter was for the woman or for Cook for it was written in English which language the declarant did not understand.

Ques. If he knew that Nolan had had a secret correspondence with St. Gertrude or Anthony Leal her husband? Said he did not know if Nolan had corresponded with St. Gertrude, that Anthony Leal had been with Nolan in Natches the past year, he did not know whether he had returned any other time.

Ques. If he knew that Nolan had maintained illicit intercourse with St. Gertrude, if she went out to some place on business for Nolan and if the declarant accompanied her? Said that the appearance of the evil friendship of Nolan with St. Gertrude was notorious, that she, and in her company, the declarant, went to buy horses in Laredo, Revilla and the Point, and that Nolan went out afterwards and followed in the way of Revilla to Laredo, from where they went together to the last place from whence they returned by Laredo to San Antonio of Bexar, conducting one hundred and fifty tame animals—horses and mules.

Ques. With what end he came finally to Bexar, and if he knew why he was a prisoner? Said that he came to Bexar to be at the place that would accommodate him the best of any place he had seen, and for the affection he had for the Spanish. That he did not know why he was a prisoner, neither had any one told him.

Ques. If he had anything to add or to take from? Said that he had nothing to add nor take from, and that he had declared the truth under the oath he had taken, and having read this deposition he confirms and ratifies it, and says he is forty years old, and signs with me and the witnesses.

Peter Gervas Longueville.

John the Baptist of Elquezabal.

Witness

Witness

Francis Amanqual.

Joseph Gervas of Silva.

Decree for the suspension of the business.

In the said town of San Fernando, on the twenty fourth day of January A. D. 1801, I, the said Provisional Governor having concluded this business order it to be suspended until the coming of Anthony Leal and St. Gertrude, at which time I will proceed to the close. Which by decree I direct and sign with the two witnesses.

Elquezabal.

of authority

Francis Amanqual.

of authority

Joseph Gervas of Silva.

Decree to proceed
with the business.

In the town of San Fernando and Garrison of San Antonio of Bexar, on April 21st, 1801, I, John the Baptist of Elquezabal, Provisional Governor of the Province of Texas, in attention that on the fifteenth day of this month was present in said town Anthony Leal and his wife St. Gertrude, whom the Commander of Nacogdoches had sent under the guard of a chief and eight soldiers of this company, I commanded to proceed to put in form the correspondent preliminary inquiry of the conduct observed by said individuals relating to the points contained in the foregoing declarations recently taken by the American Jesse Cook, which by this decree I command and confirm on this day, month and year.

John the Baptist of Elquezabal.

Appointment of Scrivener.

Sir John the Baptist of Elquezabal, Lieut. Col. of Cavalry of these Camps, Adjutant and Inspector for His Majesty of the Interior Provinces of N. E. and Provisional Governor of the Province of Texas. Having to appoint a Scrivener, according to the provisions in the Royal ordinances for that decree in the process that I go to form against the American Jesse Cook, Anthony Leal and his wife St. Gertrude, appoint Mr. Andrew Benito Courbiere, a distinguished soldier of the Company of the Bay, that he shall exercise the office of Scrivener, and notified him of the appointment which he accepted and swore and promised that he would keep the secrets and be faithful in the duties of the office. And for that appears his signature with me in Bexar this twenty-first day of April 1801.

John the Baptist of Elquezabal.

Andrew Benito Corbiere.

2nd Declaration of the
American Jesse Cook.

In the town of San Fernando the twenty-first day of April A. D. 1801 lord John the Baptist of Elquezabal, Provisional Governor of the Province of Texas went with my Scrivener to the Royal houses of this town where I found imprisoned Jesse Cook, whom I caused to raise his right hand and

Ques. If he would swear by God and the sign of the cross that he would speak the truth concerning what I should ask him? Said he would swear.

Ques. What business relations he had during the time he was with Philip Nolan, with what persons he had correspondence and upon what subjects? Said that before he was a servant of Nolan he bought goods in Kentucky and brought them to the Black Islands where he traded. That on the second occasion he returned to Ky. and bought a lighter (in the fruit season at Joseph) and returned with them to the Black Islands. That the third time I bought in Ky. a flat boat which I loaded with corn and brandy, a part of which I expended in New Madrid and the remainder in the town or fort of

San Fernando in Mississippi. That after he had left the service of Nolan, John Murdock wrote the declarant a letter which he received in June or July of last year in which he said he had sent a trunk of goods of the value of \$500,—a little more or less. That this trunk did not come into the hands of the declarant because Murdock was in the Point Coupee, it was removed from the bateaux in which Murdock had embarked without knowing his reason for it in regard to which Murdock had not then written but that afterwards he was made to know that Murdock was informed that the declarant had gone to San Antonio because of which he had detained the goods. That during the time he was in Nolan's service declarant had no business on his own account. That the goods were brought to Nacogdoches by Nolan who traded them, that he left the declarant sick, because of which he did not follow Nolan to San Antonio, where he came with the goods, as it appears, in the year 1797. That in two months the declarant came by order of Nolan.

Ques. What amount of goods he had received in Nacogdoches, by whom were they sent, where were they concealed; what was their destination, if when he came to San Antonio he brought anything, what he bought with them, and what he did with what he bought? Said that when he came from Natches to Nacogdoches, he brought goods, that he kept them in the house of St. Gertrude, that he there sold them to the inhabitants for horses that when he came to San Antonio he conducted some of them that he also sold to various inhabitants that he did not know, that he delivered tame horses and graziers to the number of 22 or 23 that were brought to Nacogdoches to join with 30 more that he received belong to Nolan, of those he delivered only 17 to said St. Gertrude, for he had lost the rest on the way because of a stampede, that the 20 and more he had kept in his possession and conducted them to the Rapido, where they were detained by the troops of Nacodoges and returned to this Port, with the exception of one-half that were very weak and tired and left on the way.

Ques. What instructions he brought to San Antonio when he last came, with what persons he had commissions, if he succeeded in his pretensions and what these persons were? Said that before he came Murdock had written the letter in which appeared the trunk had arrived at the rendezvous and that he said he had sent in it a little parcel that he wished delivered to Mr. Gabriel Gutierrez, but as he did not receive the trunk consequently he did not receive the parcel. That he did not know what it contained, that he did not bring anything of value to any person, and only one letter that the Commander of Nacogdoches, Lieut. Michael del Moral, sent open by the declarant to Mr.

Gabriel Gonfiales, but he did not know its contents, for he was unable to read Spanish, neither was it in possession of any person that he should speak to the Governor. That he did not remember if Murdock provided in his letter anything of this for the time he made the receipt.

Ques. What letters he had received from merchants of Louisiana or Natchez, and what they contained? Said that he had received four that he knew of, one from Natchez written by Dublas, in which he offered goods if necessary; another from the same place from Murdock, in which he said the \$500 of goods were to buy mules and horses, the other two were from said Murdock, in one of which he said he had sent a trunk with the goods and a little parcel already, referred to, with another for St. Gertrude charged with the memorandum, and in the last that he had brought, or removed, the trunk, for he knew the declarant had come to San Antonio. That as declarant did not receive the trunk he was not able to buy the mules that he requested, so it was useless.

Ques. Who is John Murdock, where does he live, why did he send goods to Nacogdoches, and what he sent in payment for them? Said that he is a native of Penna., one of the United States, and lives in Louisiana in a place named the Bayou Auxecon. That he never sent goods nor the declarant to him anything for this motive. That Murdock was in company with Nolan when declarant entered this Province, and that being in it when they separated.

Ques. Why did not Nolan return to San Antonio, what secret matters there was between the two, for what did Nolan commission him to go to Rapidio with Luziano, what present he made to the Commander, who this was, and what Nolan sent to St. Gertrude by Luziano? Said that Nolan sent the writing by Luziano, that he did not return to this Province because of a letter the Governor of Louisiana, Mr. Manuel Gayoso, of Lemas, wrote against him to the Governor of Texas, that he never had any secret matter with him, and that though Nolan said in the letter to carry his horses quickly, it did not prove that he carried them from the motive exposed in the letter from the Governor of Louisiana. That these horses, though in charge of declarant, he found in possession of St. Gertrude, that Nolan commissioned him to go to Rapido to carry the horses with Luziano. That also Nolan sent a bundle and a letter to the Commander of Nacogdoches. Mr. Joseph Miguel del Moral, to whom the declarant delivered them, and that said official having read the letter did not wish to receive the bundle, for which reason the declarant delivered it to St. Gertrude, but that having reflected afterwards, he had Nolan charge its value that was \$100 to said St. Gertrude, saying to her that he had no authority to leave the bundle in her

possession because Nolan had not given such order, and that he would leave it if said Commander would give an order receiving it on her account. That it was certainly returned to the Commander to whom it was made a present, and that then the said official said to the declarant that in respect to it that St. Gertrude owed a sum of money that she had borrowed with which to buy a negro, and he would receive the bundle on her account and not as belonging to Nolan, on which terms he gave the receipt. That Nolan sent to St. Gertrude by Luciano a trunk of floor flags and another of goods with which to pay the young men who had the care of the horses and did not wish to settle with him until they came to Natches.

Ques. Why had he a commission to go to Nacogdoches immediately? Said he did not know the reason Nolan had in sending him with such promptness.

Ques. What correspondence had Nolan maintained with St. Gertrude, and upon what subjects? Said he did not know what kind of correspondence nor upon what subjects, presumably relating to the horses and paying the men, for which purpose Nolan had sent the goods and also for her charges.

Ques. What trusts Nolan had conferred upon said St. Gertrude and what persons Nolan had ordered the declarant to consult, and if he was to show the correspondence? Said that in the first letter that Luciano brought to the declarant when the two trunks before mentioned were sent it was expressed that if St. Gertrude was not able by reason of illness or other accident to perform the duty he was to show the letters to Father Vallejo (the Clergyman), for him to read, that he had no authority to consult with him and never had consulted with him nor shown any letter to him or any one but St. Gertrude, for he did not find her sick.

Ques. What other trusts Nolan made concerning St. Gertrude when the said Clergyman should come to San Antonio? Said he did not know anything upon that point.

Ques. What destination Nolan gave to the Burros in his charge, of whom they were bought, with whom they were sent and where? Said that though Nolan trusted them to him he did not buy them nor know the value of them, other than as he had said.

Ques. What business secrets he had had with Nolan, and upon what matters, what confidential business he had maintained with St. Gertrude? Said he had not had secrets with any one, and that the correspondence was confined to matters of his business particulars of interest, and that neither had he had secrets pertaining to her. That he had nothing more to add, and that what he had said is the truth under the obligation of the oath he had taken which he affirmed and ratified this deposition was read to him. He said he is thirty years old and

he signs this with the said Governor and in the presence of the scrivner and between the margins—with Luciano farewell.

Jesse Cook,
before me,

Elquezabal.

Andrew Benito Courbieres.

Deposition of St. Gertrude.

In the before mentioned town, said day, month, and year, John the Baptist of Elquezabal, Provisional Governor of the Province of Texas, caused to appear before him St. Gertrude, who received from said Governor the oath by our Lord God, and a sign in form of the cross that she would speak the truth, concerning those things that should be asked her.

Ques. Her name, residence and state? Said that she was called St. Gertrude, that they found and arrested her in the town of Nacogdoches, that she was married with Anthony Leal.

Ques. When she knew Nolan and with what object? Said that she knew him in San Antonio, with the motive of a letter of recommendation, that with it Nolan sent to her husband, Anthony Leal one, in which he said if they had no house where they could lodge they could come to his and live.

Ques. What kind of connection had she had with Nolan? Said she had maintained with him illicit intercourse as a frail woman.

Ques. By what agreement had she done this with Nolan? Said that for doing this he had promised her \$4,000.00 and two hundred animals.

Ques. With what view she went to Nacogdoches, what did she or her husband receive from Nolan? Said she went to Nacogdoches following her husband, that neither of them received a thing from Nolan except thirty animals between colts and mares, some tame, and a herd of twenty-five colts "mestenas."

Ques. What goods did Nolan send from Louisiana and Natches, and what was their destination, and for what purpose were they sent? Said Nolan did not send any goods from La., and that from Natches he sent some of the value of more than \$300.00, with which to pay what he owed to the men servants, for which said goods were not sufficient, and though she had received from him a trunk of the value of \$300.00 or more, she sent it to her husband, who had been to Natches with two hundred horses of his own anxious to sell them, as was shown according to what he said, for the money with which he bought said goods and a negress.

Ques. What correspondence had she maintained with Nolan, how many letters she had written and upon what subjects? Said she had had no correspondence with him, neither had she written him letters with the exception of one in which she said she did not want him to forget what he had prom-

ised, and if by chance there had been other letters, they had not come from her hands.

Ques. With whom had she maintained correspondence besides Nolan, what letters had she written, to whom, wherefrom, what did the letters contain, who carried them, what courtesies she had receive, to whom or with what design? Said she had not corresponded with anybody, neither received letters from any person, nor attentions.

Ques. To what persons she had made a gift in Nacogdoches, what directions or commands she had from them, and who were they? Said she had made a gift to nobody by order of another, that though she had given some trifles to various persons that she did not now know, yet they had been her own.

Ques. What confidential matters she had treated with Nolan, what instructions he had given her, what she understood in this, and by what means the letters came and went? Said she never had confidential matters with Nolan, nor received secret letters. That it appeared that Luciano delivered one, but she did not now know anything of its contents.

Ques. What trifles had she received from other individuals, besides Nolan, from what persons and what objects? Said she had not received a thing for herself nor for others.

Ques. How many servants she kept in Nacogdoches, their names, the salary they had and in what they were employed? Said that during the time she lived in said town she had in her service the Indian, Peter, with a salary of \$10.00, Louis Maldonado, of the house, with \$3.00, and the gunpowder, and Jesse Cook, with the agreement of a mare and two horses to be delivered each month he was employed in constructing her house, and labor and care of the herds she had.

Ques. How she knew Cook, with what motive he lived in her house, how long he lived with her? Said that she lived with him in San Antonio as the servant of Nolan, that nobody had recommended him to her, but he asked to serve her, and she had him three months.

Ques. What correspondence by letter Cook had maintained with Nolan, how many letters he had written and upon what subjects? Said she did not know a thing upon this point, not having observed that he had written.

Ques. What motive she had in Cook coming to San Antonio on the last occasion, when he had charge of transporting the animals, who these animals were for, and where she sent them? Said with the object of giving the animals up to Nolan that were left here for others she had given in Nacogdoches and she sent Cook to take them back. That they fell short twenty that did not arrive. These were for her ranch and they had no other destination, nor did she give Cook other instruction.

Ques. To whom belonged the two female slaves and the negro slave that had come with her, with what

were they bought, to whom sold or given, for what prices, and where she acquired the means to buy them? Said they belonged to her husband, who bought them in Natches, one of the negroes for \$400.00, the other was bought for the declarant in Nacogdoches of Mr. Francis Chabu, for \$600.00, of which she gave one-half from the trunk of goods her husband sent and that she paid the rest in silver when she came from Natches, that the negro was not yet paid to the house of the deceased from which her husband acquired him in the Rapido, and that the value of all they acquired in Natches with the horses they brought.

Ques. On how many occasions had her husband been to Natches, for what purpose, and who gave the passports? Said he had been only once in the company of Nolan to sell said horses and she did not know if he carried a passport.

Ques. Why did he come to San Antonio the last time, what did he buy, for what price, how many animals did he export, of what kinds, and where they were? Said he had come to sell his house, as he had said, that he carried \$300.00 in Reales, that he did not sell the house, but bought horses that were for the ranch, which were left on the river Trinidad in a pasture ground called Nolan's, because they were very weak, and she does not know their number.

Ques. How many burros he bought, where, and what was their destination? Said she was ignorant of the particulars of the question and only knew that in Nacogdoches she sold to her husband two burros and that he did not wish to buy.

Ques. What intentions had Nolan in bringing armed people into this Province, what information he gave her, to relate what she knew on the subject? Said she did not know anything upon that subject, nor had Nolan ever communicated any information nor circumstances concerning his intentions.

Ques. Why did she always live on the ranch and not in Nacogdoches, if she had a house there or expected to make one, what she had to build with, and who would assist in the cost? Said she lived on the ranch for the purpose of taking care of her property, she had no house in Nacogdoches, that Jesse Cook constructed one by virtue of the agreement that the declarant had stated, and though it is true that Nolan offered to build a house, it was under the condition that I should go with him to Natches and there he would do all he had offered verbally and not in writing.

Ques. If on any occasion she had concealed on her ranch any goods in "tercios" or other kinds for protection, to whom they belonged and what was their destination? Said she had not had in her possession other goods than those mentioned sent by Nolan for the payment of the men in the trunk he sent by her husband, with two other trunks with floor flags, water pots and blankets.

Ques. If she had anything to add or to take from this deposition that had been read to her. Said she had nothing to add except in the letter Nolan had written and sent with the trunk of goods he charged her to treat the men with kindness and to give them the goods at a cheap price, and she asserts that what she has said is the truth under the obligation of the oath she had taken, which she affirms and ratifies. Says she is about fifty years old, that she does not know how to write, she will make the sign of the cross and thus attest what she has said with said Governor and the scrivener, between the margins, with the horsemen that carried her farewell John the Baptist of

X

before me.

Elquezabel.

Andrew Benito Courbiere.

Deposition of Anthony
Leal.

In the town of San Fernando, fortress of San Antonio of Bexar, the twenty-second day of April, 1801, sir John the Baptist of Elquezabel, Provisional Governor of the Province of Texas, went with my scrivener to the powder warehouse of this town where I found the prisoner, Anthony Leal, whom I caused to raise his right hand and swear by our Lord God and the sign of the cross that he would speak the truth in what he should be interrogated.

Ques. His name, surname, place of residence, rank and occupation? Said he is called Anthony Leal that in the present state of things he lives here, before that he lived in Nacogdoches, that he is married to St. Gertrude, and that he is a laborer.

Ques. If he knew the reason of his imprisonment? Said he did not know why, the Governor of the Province having passed the official letter to the Commander of Nacogdoches that he should be removed to this capital with his family, which was done under the escort of a leader, seven soldiers and a citizen, and immediately the command of said Governor having been presented he was conducted a prisoner to the Powder Warehouse.

Ques. How long had he known Mr. Nolan? Said from the time when Lieut. Christopher de Cordova commanded in Nacogdoches about the year 1791.

Ques. With what motive he had friendship with Nolan, how long he had cultivated it, in what he had served him, or for what reason he had lived in his house? Said that from the year 1791 he had known him in Nacogdoches, that he had cultivated his friendship from that time until the first of May, 1800, and that Nolan having said in 1795 that he was coming to San Antonio, he offered his house if he would serve him, that then, notwithstanding the request was verbal the declarant sent to his wife for the goods, but did not lodge there, but with another neighbor, but that the second voyage as shown, in the year 1797 he stayed in the house

of said Nolan by virtue of the friendship that both had and except from that motive the declarant gave no recommendation neither in writing nor verbally.

Ques. For what did his wife serve Nolan, what salary he gave, what things she had done to favor Nolan, and in what places? Said that she served him for the friendship that Nolan had with the declarant, that he gave her no salary and that his wife was occupied in personal assistance and also in the care of her things according to the appearance, and he did not know what other things his wife had practiced for Nolan's benefit nor in what places, for he had been absent trading with the Tancahues Indians, which he had by appointment from the deceased Governor.

Ques. Why did he remove to Nacogdoches with his family, on what did he live and in what was he engaged? Said that he removed to Nacogdoches with his men and a hundred and more animals to restore his trade, in which he was engaged, that he did not give orders to his wife to go there that she did it of her own will without leave from the declarant, that he lived on the trade he had with the Indians, and afterwards he went to Natches alone with his horses, from where he returned to his house in Nacogdoches without bringing goods for the Indians, for he had there learned that there had been a new trader appointed on petition of the Indians.

Ques. From what place he assigned the ranch and the goods he had there, how did he obtain the one and the other, to whom he sold them, with what was he paid, in what kind, and from where he had them? Said that the ranch was hired from the Lieut. Gov. Sir Joseph Miguel del Moral, and the goods were his own, bought in this capital with money that was obtained from the Paymaster in payment of various lots of deer skins that he had delivered for the use of the troops.

Ques. What voyages he made during his residence in Nacogdoches, where he went, what he carried, to whom he delivered it, for what he sold it, what he brought and of what persons he received it? Said that during the time he had the traffic with the Indians he went to New Orleans and dressed deer skins, venison, tallow, tongues, and other things of that nature, with which he would supply the needs of the Indians. That afterwards he went to Natches with one hundred and fifteen animals—horses, that he had sold to Nolan, and he went to deliver them with his servants only. That the Steward of Nolan received them on the farm, that after he had delivered them he remained there twenty and more days expecting to see Nolan, who did not come. In his anxiety it was necessary that the declarant and the Steward should go to Natches that Nolan joined the two at the place where the horses were and requested that the declarant with

his men would gather them, which he accordingly did and took the receipt of the Steward, and went to the other side of the river. When this work was finished the declarant went to Natches with the design of collecting the value of one hundred animals that Nolan had, that having sold fifteen the rest he had at his residence, that he delivered him for all \$1,980, \$700, and more in goods and the rest in money, that of this he sent to his wife \$600, in a trunk by Jesse Cook, and the rest the declarant carried. He would add that the motive in sending the goods by Cook was that his wife had sent to ask for them, and that he gave orders to Cook (who went to Natches), to receive there the said amount, which was delivered in goods, for he did not have the money. That he did not know what his wife did with them, that the goods he had spoken of that he carried he kept for his subsistence, and the use of his house, and that it was all delivered to him in Natches by Ferguson on Nolan's account.

Ques. Why did he ultimately come to San Antonio, what did he send, of whom did he have it, what did he buy, to whom sell, and for what things? Said he came with the design of buying burros for his ranch, that nobody sent anything, that he came of his own will, that he brought no goods, but certain silver, that he did not buy the burros, as they were not in that place, that he sent to his brother Gregory Leal for him to buy them in Laredo, but he was not able to do this for the river was greatly swollen, and he returned with sixteen tame horses that he delivered declarant, that he bought twenty-two other horses, that he had spoken of, in this capital, with which thirty-eight animals he went to Nacogdoches, being detained by reason of weakness in the pasture lands, called Nolan's, on the river Trinity, and from there, as soon as he was stronger, he conducted them to Nacogdoches, to whose Commander he was presented and went with them to his ranch, where he kept some of them, with the others he paid various debts he had there.

Ques. How many slaves had he, of whom he bought them, and with what? Said he had three, two women and a man negro, that he bought one of them in Natches of an American, whose name he did not remember, for \$400, the other was bought by his wife in Nacogdoches of Mr. Chaba for \$600, which his wife finished paying from the trunk of goods that declarant sent by Cook, so that when he came home it was paid. And the negro he bought on the Rapido at an auction for \$270, that is not yet paid.

Ques. What correspondence had he and his wife maintained with Nolan, who carried the letters, by what persons had he answered, and upon what subjects they treated? Said he did not know anything in these questions that he had done.

Ques. If he gave any letter of Nolan for his wife, and to whom he delivered it to be carried? Said that he had not delivered any letter to any person in Natches or any other place, for Nolan had not given him any.

Ques. What trusts Nolan had made and for whom? Said he had not charged him with any.

Ques. If Cook had brought on to his ranch any trunks of goods, or had any other person in his name? Said that he knew nothing in this particular.

Ques. What servants had he in Nacogdoches, with what salary and in what were they occupied? Said he had Lorenzo Inojosa at \$6 per month, Francis del Torro at \$8, Manuel de Acosta at \$10, Joseph de Losa (now deceased), at \$7, and John de Torres at \$5, these are the only ones he has had during the residence of his wife in Nacogdoches. He would remark that Manuel de Acosta and John de Torres are those who had served him as long as his wife resided there, the others were in his service when he carried on the traffic with the nations. That the first was occupied in conducting the goods that he sold and bought to the Indians, and the last two in taking care of the animals, and that he did not know any other that he had given a salary.

Ques. What gifts had he or his wife received from other persons than Nolan, and from what motive? Said that he had not received any gifts, he did not know if any had been made to his wife from civility.

Ques. What did he know of the entrance of Nolan to this Province with armed people, to relate what he knew on the subject? Said that he did not know neither had he heard him say a thing upon this point until he returned to this capital from Nacogdoches, which was in October of last year, he was met there with the news that Nolan had entered this Province with armed people. That he had nothing to add, that what he had said was the truth by virtue of his oath which he affirmed and ratified, having had this disposition read to him says he is fifty-nine years old, and that he does not know how to write, will make the sign of the cross, and the said Governor signs it, with the scrivener= between the margins=farewell=for four hundred dollars=farewell=correct=how many=farewell

X

John the Baptist,
of Elquerabal.

before me,
Andrew Benito Courbiere.

Decree to suspend the
declarations of the
Negroes.

In the before mentioned Garrison, said day, month and year, the said John the Baptist, of Elquerabal, Provisional Governor of this Province of Texas, with the information I had that the two negroes and the negro lacked all knowledge on the subjects contained in this business and language necessary to give explanation, command

to suspend their respective declarations, as also those of the servants mentioned in the foregoing, and only receive that of the man John de Torres that I found imprisoned in the main guard. And for that appears the signature of said official, to which I, the undersigned scrivener, give faith.
Elquezabal. Andrew Benito Courbiere.

Declaration of John
de Torres.

On said day, month and year, the said Governor made to appear before him John de Torres, that he found imprisoned in the main guard, who received the oath by God and a sign in form of the cross that he would speak the truth in regard to what he should be interrogated.

Ques. What he is called, what is his condition, and what his occupation? Said he is called John de Torres, that he is a bachelor, and is a laborer.

Ques. Whom has he served and how long, and in what was he engaged? Said he had served various masters previously, and from August last year until now Anthony Leal by whom he was employed for \$5 per month, and his living, that he was employed in the care of the horses on the ranch that his master had in Nacogdoches.

Ques. If he knew that Anthony Leal or his wife had received any letters, from whence they came, who had brought them, and at what hours? Said that he did not know a thing, for he had been the most of the time, on the Trinity river guarding the horses that his master had in the pasture lands of Nolan and the rest of the time in the vicinity of the ranch in the same employment.

Ques. What Cook did on the ranch? Said when Cook left Nacogdoches for this capital he was under guard of some soldiers, he found the declarant still on the Trinity river.

Ques. If he saw goods taken on to the ranch and from where they were brought? Said he had not seen brought to the ranch more goods than those bought to exchange for horses to the time of the coming of a Frenchman from the Appelousas.

Ques. If he found, or on the way had heard said to his master in conversation or otherwise anything concerning Nolan, what was said, how much did he know in this particular? Said he had not heard anything nor had his master spoken of Nolan in his presence. That he had nothing more to add what he had said is the truth under the oath he had taken which he affirmed and ratified, this declaration being read to him, said he was twenty-five years old, that he did not know how to write, made the sign of the cross, and the said Governor signs it with the scrivener.

X

John the Baptist,
of Elquezabal.

before me,
Andrew Benito Courbiere.

Notice to complete
the procedure.

Immediately, the same day, month, and year sir John the Baptist of Elquezabal, Provisional Governor of the Province of Texas in view of the foregoing declarations of Jesse Cook and Anthony Leal, from them it appearing that the first personally carried a letter and bundle sent by Nolan to Lieut. Joseph Miguel del Moral, being Commander of Nacogdoches, that he did not wish to receive the bundle but that he examined it and gave Cook a receipt for it on the account of St. Gertrude in the second instance. And also that said Official Steward of the real jurisdiction leased the ranch that Anthony Leal possessed and likewise that he commissioned his brother Gregory to buy burros in Laredo from whence he brought sixteen tame horses. I command the completion of these matters. And that the judicial formalities may appear, I, the said official, sign this. Of which I, the undersigned scrivener, give faith.
Elquezabal. Andrew Benito Corbiere.

Citation to finish with
Miguel del Moral.

Immediately appeared before the said Governor, and the present scrivener, Lieut. Miguel del Moral, one of those quoted by Jesse Cook and Anthony Leal in their declarations from page* 18, 28, 14, hand upon the handle of his sword and who the said Governor made to place his right *Ques.* If under his word of honor he would promise to speak the truth in what he should be asked? Said he would promise, and having read the quotation that Jesse Cook had made where he affirmed that he had carried a letter and a bundle from Nolan, and asked their contents, said that Nolan, having written concerning \$100,—that he owed the royal tax for exporting horses which he was not ready to pay but in a short time Cook presented him with said letter and bundle, which he did not wish to receive from Nolan. Afterwards Cook returned making him the present which he received on the account of St. Gertrude for the \$100,—that was wanting of the bond then to be executed with suitable security.

Having read the statement that Anthony Leal made in his deposition in which he affirmed that he had hired the land of his ranch of the declarant—Said that without prejudice of the tax collector he commanded the agent to give possession of said land to Anthony Leal without proceeding to put it in formal writing. That this was what passed, which he affirms and ratifies under the word of honor he has given, and he signs this with said official and the scrivener.

John the Baptist, Joseph Miguel del Moral.
of Elquezabal. before me.
Andrew Benito Courbiere.

*Leaf 8, 12. 6 of original.

Citation to finish with
Gregory Leal.

On said day, month, and year, appeared before said Governor and the present scrivener Gregory Leal, quoted by his brother, Anthony Leal, is his deposition, page *28 to 34, whom I caused to raise his right hand and receive the oath that he would declare by God and a sign in the form of the cross, that he would speak the truth in what he should be inquired of, and having had read to him said quotation in which Anthony Leal affirmed that he had commissioned him to buy burros in Laredo, from where he brought sixteen horses without having brought the burros. Said it was certain that his brother sent him with \$150,—for which he was to solicit burros. That he arrived at Laredo on that occasion, he found the river greatly swollen, so that he was unable to cross to the other side, by reason of which he bought in that place sixteen tame horses, which he took to his brother. He says this is the truth under the oath he has taken which he affirms and ratifies. Said he is forty years old, that he does not know how to write, but will make the sign of the cross, and the said Governor signs with the scrivener.

X

John the Baptist,
of Elquezabal.

before me,
Andrew Benito Courbiere.

Procedure to send the
quotations to Nacog-
doches.

In the mentioned garrison the day, month and year, John the Baptist of Elquezabal, Provisional Governor of the Province of Texas, by virtue of the foregoing declarations of Jesse Cook and St. Gertrude, by which it appears that Luciano, an inhabitant of Nacogdoches, delivered to Cook a letter from Nolan, that Peter Harbo delivered another by command of Anthony Leal. That Lieut. Miguel Musquiz granted to St. Gertrude a passport to go with three men (one of whom was Cook) to the Rapido for the horses that St. Joseph came to Natches anxious to be there married to Maria Hooper, an American. That the said Luciano conveyed a letter to Cook from Nolan, and two trunks of goods for St. Gertrude, to whom he delivered another letter from Nolan. I command to copy said quotations and that they be sent to Ensign Joseph Maria Guidinana, Commissioner in Nacogdoches, for matters relating to that which gives motive to this process, that he would proceed to complete them. I suspend that relating to John Murdock mindful that notwithstanding said Jesse Cook resides on the Bayou aus ecors, a place in the Province of Louisiana, he is a subject of the United States, and has no fixed domicile, but employs himself in roving traffic. And for that appears the business signature of said official, to which I, the undersigned scrivener, give faith. Elquezabal. Andrew Benito Courbiere.

Procedure to liberate
John de Torres and
suspend his cause.

Immediately said Fiscal Judge by virtue of the non success of the charge against the man John de Torres who by order has remained imprisoned from the day when he arrived with Anthony Leal, I command that he be set at liberty, and that the present cause be suspended meanwhile until there shall be received from Nacogdoches the completion of the before mentioned citations, and likewise the process that concerns this subject shall be put in form there by said official, Joseph Maria Guadiana. And for that appears the business signature of said Governor, to which I, the undersigned scrivener, give faith.
Elquezabal. Andrew Benito Courbiere.

Decree for collecting
the citations arrived
from Nacogdoches.

The town of San Fernando and royal Garrison of San Antonio of Bexar, on July 27th, 1801, John the Baptist of Elquezabal, Fiscal Judge of this cause in view of having received the completion in five leaves that were ordered sent by said Judge Commissioner in Nacogdoches, I order that they be collected to this cause, and in regard to that of Rev. Father Joseph Manuel Guitan (embraced in one of them) for having been found absent from that destination and directed toward this capital, not satisfied with the result, said official has determined to suspend the rest of the business until his arrival, at which time he will proceed to the rest that belongs to it; and for that appears for business his signature of which I, the present Scrivener, give faith=not satisfied=correct=farewell.

John the Baptist,
of Elquezabal.

before me,
Andrew Benito Courbiere.

Decree to finish the
citation of Father
Gaetan.

In the town of San Fernando and Royal Garrison of San Antonio of Bexar, on August 6th, 1801, Sir John the Baptist of Elquezabal, Lieut. Col. of Cavalry, and Provisional Governor of the Province of Texas, in view of these decrees and declaration of Luciano Garcia that he conveyed a letter and double-barrelled gun that he delivered by order of Philip Nolan to the Reverend Father Joseph Manuel Gaetan and likewise was constant in the declaration that Peter Harbo had placed in possession of said Father another letter from said Nolan, command (having obtained permission of his prelate) that he be liberated from his ministry there and that he, the Reverend Father Joseph Manuel Gaetan, be a resident in the mission of St. Joseph of Aguayo for the continuation of the said quotations.

Mr. Andrew Benito Corbiere, a distinguished soldier of the Company of the Garrison of the Bay of the Holy Spirit, and authorized by the Royal ordinances of His Majesty to perform the duties of Scrivener in the following cause against Jesse Cook, Anthony Leal, and his wife St. Gertrude, and likewise of Peter Geiemias Longue-

ville, suspected of corresponding secretly with Philip Nolan, and in traffic in goods in contravention of law.

I certify and give faith that in a declaration that extends from page 1 unto the 8th, inclusive, given by Jesse Cook, is found a quotation of the following tenor,=*Ques.* How many letters he had received in Nacogdoches from Philip Nolan, who conveyed them, what matters they contained and from where? Said—that only three had come, the first was delivered by Luciano, an inhabitant of Nacogdoches in, December 1799, the contents of which he did not know very well now, and that said Luciana was connected with Nolan. That the second was delivered by a servant of Anthony Leal named Peter Harbo, whom Leal sent from the Rapido coming from Natches, in that Nolan charged him to get burros and that he would pay him \$50.

In the same deposition Cook said that the Lieut. Commander Michael Mazquiz granted a passport to St. Gertrude to go with three men and the horses to Rapido, that among the three Cook was included,=that St. Joseph made a trip to Natches anxious to be there married to an American woman named Maria Hooper by the Fathers of Nacogdoches, but he did not believe he was married.

In the second deposition of Cook at page 18 it appears that Luciano carried another letter of Nolan for the declarant, and two trunks, one of floor flags and the other of goods for St. Gertrude. In the other deposition, given by St. Gertrude, it appears on page 23* that said Luciano delivered her a letter from Nolan. And that it may appear where it may be closed, I give the present order and charge from Lord John the Baptist of Elque-zabal, Fiscal Judge of this cause, on a leaf subscribed by me, which, likewise, is signed by said Fiscal Judge in the town of San Fernando and Garrison of San Antonio of Bexar, the twenty-third day of April A. D. 1801.

John the Baptist,
of Elque-zabal.

Andrew Benito Corbiere.

Mr. Joseph Maria Guadiana, first Ensign of the company of Mondova and actually employed in this town of Nacogdoches, having received the order of the Governor of the Province of Texas, Lieut. Col. John the Baptist of Elque-zabal, to complete the citations as appears in the foregoing certificate authorized by said Governor and the Scrivener, Mr. Benito Corbiere, and having read it with the rule which His Majesty presents in His Royal Ordenances to name a Scrivener to act in said matter, I confirm a soldier of the Bay of the Holy Spirit, Joseph Manuel Delgado, to perform the duties of Scrivener. And having noti-

*Leaf 10 of original.

fied him of the obligation he accepted it, swore and promised that he would be secret and faithful. And for that appears his signature with mine, in Nacogdoches, this, May 16th, 1801.
Joseph Maria Guadiana.

Joseph Manuel Delgado.

In said town of Nacogdoches, said day, month and year, Ensign Joseph Maria Guadiana, caused to appear before him, for the purpose of completing the foregoing citations, Luciana Garcia, who, before me the present scrivener, received the oath by God and a sign in form of the cross that he would speak the truth in all that should be asked him. Said he would.

Ques. His name, country, and religion? Said he was called Luciano Garcia, that he is a native of the Real de Charcas, and a Roman Catholic.

Ques. What letters of Nolan he had conveyed to this town of Nacogdoches from Natches, or from any town of Louisiana, for what persons of this town, or without, their names and the times he had been. Said that from the month of August 1799, when he went out of this town for Natches he conducted horses for Nolan in whose service he was, in November of the same year he returned to this town of Nacogdoches with a Frenchman who accompanied him called Peter whom he had known for a long time. That the declarant was sent by his master, Nolan, to convey a load of trunks, one of them filled with white floor flags and the other he does not know what it contained for he did not accommodate himself to see, and some canteens that were filled but he is ignorant of what they carried, and he was directed by his master, Nolan, to convey those things to the ranch of the Aises in Nacogdoches and deliver them to St. Gertrude. And Nolan also gave him a letter and a double-barrelled gun both of which he was to deliver to the Rev. Father, Friar Manuel Gayton, and that he returned with Jesse Cook to Natches conducting the animals that by reason of weakness had been left by Nolan on the Trinity river, in the care of said Cook.

Ques. When did he come to this town, and if he delivered the load, letter and gun that he had spoken of, and if he had conveyed other letters that he had delivered to his master? Said in the month of November 1799 according as he said he went out of Natches, or below Natches, that is from the pasture where the horses of his master were, that in the same month he came to this town, and delivered to St. Gertrude the load of trunks and canteens, and to Father Gaetan the double-barrelled gun, and letter he had spoken of, and that he had not conveyed any other letter that he had given to Nolan or any other person. That in December of the same year he returned to Natches with Cook, who left the declarant on the ranch

of the Aises one hundred animals of his mistress that were of the horses that he had charge of on the Trinity river, and because they were very weak they were unable to convey them to Natches and he commended them to St. Gertrude. Attending to that which his master had said that the animals were very weak he had branded them and left them to St. Gertrude apart from twenty-five mares of the better ones and a stallion which missed the brand. St. Gertrude appreciated what the declarant had done, they having been chosen among all the hundred animals that were cared for by Cook and a man of Bexar, called by some Vibas and by others Ribas Cacho, and also the said Gertrude missed of the weakest horses some animals.

Ques. State what number of horses St. Gertrude missed of the animals of Nolan apart from the twenty-five and a stallion that she received as her own by virtue of the order of said Nolan? Said he did not remember.

Ques. How could he say he had conveyed no other letter of Nolan than that he delivered Father Gaetan with the double-barrel gun when it appears that he delivered to Cook two letters of Nolan? Said that apart from the letter of Father Gaetan that he had spoken of he carried another letter that his master, Nolan, gave him or St. Gertrude which he delivered at the same time he delivered the two trunks and the canteens he had referred to, and that he had conveyed no letter to Cook, nor did he know that Nolan had written him.

Ques. Having read this, if it was his explanation, if it was the same he had given, if he had anything to add or to take from it, or if he would affirm and ratify it under the oath he had taken, and what is his age? Said, that all that had been read to him is the same that he had declared, that he had nothing to add or take from it, and he would affirm and ratify it all under the obligation of the oath he had taken, and that he is thirty-five years old, he cannot sign it for he does not know how to write, but he will make the sign of the cross, signed the said Ensign and the present Scrivener.

X

Joseph Maria Guadiane. before me,
Joseph Manuel Delgado.

In the town of Nacogdoches, this May 18th, 1801, Ensign Joseph Maria Guadiana caused to appear before him Peter Harbo, who before me the present Scrivener, received the oath by God and a sign in form of the cross that he would speak the truth in what he should be asked, and asked his name, country and religion? Said he was called Peter Harbo, that he is a native of this town of Nacogdoches, and that he is a Roman Catholic.

Ques. What letters had he conveyed to this town of Nacogdoches or any place, who gave them to him, to what persons he delivered them and at what

time? Said that when Philip Nolan retired from Nacogdoches the last time for Natches the declarant went as his servant for \$12 per month and his living, and that he had the care of the horses until last May, when his master proposed that he should make a voyage with him on shares to conduct the horses that he had guarded in Natches, the declarant did not comply, his master was impatient and discharged him from his service without well paying his salary to the time when he found Anthony Leal in the house of Nolan in Natches, who united the declarant with him to return to Leal's house in Nacogdoches. They made the voyage in a small vessel from Natches, the declarant, Leal, his negress slave, and his servant that was a man from New Orleans whose name he does not know, to the part of the Rapido, where Leal offered the declarant, if he would come to Nacogdoches, a horse he had lent the Commander of said Rapido. The declarant having accepted the offer proceeded to execute it. When he went out Leal sent two letters in a paper and this paper in a small handkerchief, and he gave the declarant express directions to give them to his wife St. Gertrude, then there was a letter for Cook and another for Father Friar Manuel Gaetan and that he would give the word he had sent to his wife St. Gertrude, and he offered seven animals, four with pack-saddles to carry the four large trunks, one small one and some water pots with other trifles, all of which the declarant saw go out of Nolan's house. The declarant having arrived at his house on the ranch of Amoladeras in Nacogdoches, met there a servant of Leal named Pacheco to whom he delivered the bundle of the two letters for him to give to St. Gertrude, whom he commanded to speak the word he had from his master in regard to the letters and also of the horses that he had asked and the next day the declarant saw said St. Gertrude, on said ranch, she having received the things Pacheco had carried and also the message in relation to the horses that Leal had asked and that Cook had not found in Nacogdoches and for which he had gone to San Antonio of Bexar.

Ques. If this declaration which was read to him is the same that he had made, if he had anything to add or to take from it, if he would affirm and ratify it, and what is his age? Said that what was read to him was what he had declared, that he had nothing to add nor to take from it, and he would affirm and ratify it under the oath he had taken, and that he is twenty years old, and he would make a sign of the cross in place of signing, and said Ensign signs, and the present Scrivener.

X

Joseph Maria Guadiane. before me,
Joseph Manuel Delgado.

Deposition of Lt. M.
Musquez.

In the town of Nacogdoches this May 19th, 1801, Ensign Joseph Maria Guadiana caused to appear before him Lt. Michael Musquez, whom, before me, the undersigned Scrivener, he made to place his right hand upon the hilt of his sword and

Ques. If under his word of honor he would speak the truth in what he should be interrogated? Said he would promise.

Ques. His name and employment? Said he was called Michael Musquez, that he is second Lieutenant of the company of Mondova and present Commander in this town of Nacogdoches.

Ques. If he granted a passport to St. Gertrude to go out with three men and horses to the place of the Rapido, and if in the number three was included the name Jesse Cook? Said that in the year past, in the month of November he gave a passport to St. Gertrude to convey to the place of the Rapido the horses that they had been able to collect on her ranch that Philip Nolan had passed to this town and that were still on the summer pasture grounds of said ranch, and as it was explained he had just cause to help in the departure of said horses he put it in execution by means of the soldier John Maria de la Zenda, that he found detached in the passage of the Sabine river, royal road to Louisiana, and said Zenda gave seven days on his part to following them on a place named the Gloria. Joseph Guarcas, with Peter Harbo and Pacheco, who had the care of thirty-seven horses and St. Gertrude having given that her daughter and Jesse Cook had anticipated the coming to the ranch of Til had made a supply of provisions and continued their journey that Peter Harbo was made to know the order that was carried him to return that horse, which having been read to him Harbo at once obeyed it and with John Maria returned thirty horses having left seven to Guacas for they were in his passport and in the service of Guacas that Pacheco had given, and they returned with said thirty horses Zenda and Pacheco followed over the march. St. Gertrude and her daughter, guided by Pacheco, who very soon had returned to unite with Guacas. That Cook, according to St. Gertrude, had continued his march to Rapido. And that having been in the flood one animal died and five were lost, Zenda delivered twenty-four horses on the ranch of St. Gertrude to Manuel de Acosta, to whom he made a present of the lost animals, and that three of these animals had strayed very near the ranch, he would also declare that the day he went out to the Sabine river in pursuit of the horses he met six of the animals that Nolan had for the ranch of which he also informed Acosta. That he has nothing to take from or to add to this, and that what he had said is the truth under the obligation of the word of honor he had given which he would affirm and ratify, he read this his explanation and said he was

fifty-five years old, and he signed with said Ensign and the present Scrivener=between the margins=with Peter Harbo and Pacheco=farewell.

Joseph Maria Gaudiane.

Michael Fernando Musquis.

In the town of Nacogdoches this May 29th, 1801, The Ensign Joseph Maria Guadiana, Said, that he had completed on five leaves the foregoing citations, which he certifies to Lieut. Col. John the Baptist of Elquezabal at San Antonio of Bexar, and for his loyalty he signs this with the present Scrivener.

Joseph Maria Guadiane.

before me,

Joseph Manuel Delgado.

Delivered for explanation that the matter may be made certain for whose constancy I sign with my said Scrivener=correct,=all=farewell.

John the Baptist,
of Elquezabal.

before me,

Andrew Benito Courbiere.

Memorandum of having passed the official letter to Rev. M. Gaetan.

I, the undersigned Scrivener, give faith that this August 6th, 1801, I went to the Mission of St. Joseph of Aguaio, and delivered the said official letter to the Rev. Father Manuel Gaetan, and for which I put my business signature.

Andrew Benito Courbiere.

Memorandum of having received and collected the answers of the Father.

I, the undersigned Scrivener, give faith that this August 7th, 1801, he received the answers from the Rev. Father, Friar Joseph Manuel Gaetan to the official letter, which answers bear date of the sixth day of said month, which he passed to John the Baptist of Elquezabal, Provisional Governor of the Province of Texas, which he inserted as a continuation of the originals, and for which I put my official signature.

Andrew Benito Courbiere.

In a declaration that was given in Nacogdoches by Rev. Luciano Garcia, by order of this government in the following cause, it appears that in the month of November, 1799, he entered said place proceeding from Natches, and conveyed a letter and a double-barreled gun that were delivered to him by his master, Philip Nolan, to put in the hands of your Reverence.

In another declaration of said Luciano Garcia the fourth answer of which shows that he delivered to your Reverence the said letter and double-barreled gun.

By virtue of which, it being necessary to complete those quotations, it is expected that your Reverence will state if he received said letter and double-barreled gun from the hand of the declarant or another person, what the letter contained, what appeared concerning the motive Nolan had

in sending the gun to your Reverence, and the rest that you know concerning the matter.

God give to your Reverence many years.

San Antonia of Bexar, August 6th, 1801.

John the Baptist of
Elquezabal.

Rev. Father Friar Joseph Manuel Gaetan.

For the completion of the quotation that your Worship claims in his foregoing official decree, that it is true that he received from the declarant the letter and double-barreled gun that Philip Nolan sent me by the same. The contents of the letter were nothing other than the sending of the gun and the motive in sending it was nothing more, than he had been the Commissioner in one of the environs and had given Nolan a passport, free, to this Province, with this it appears to me I have satisfied the questions you put to me, and in his loyalty gives this, which he signs in the Mission of Holy St. Joseph, August 7th, 1801.

Fr. Joseph Manuel Gaetan.

Most Rev. Fr. Friar Jos. Man. Gaetan.

The inhabitant of Nacogdoches, Peter Harbo, in a declaration that was received in said place, said that having left the service of Philip Nolan in which he had been, he determined to return to his house. That at the time shown Anthony Leal delivered to him two letters and told him to give them to his wife, St. Gertrude, that one of them was for Jesse Cook and the other for your Reverence.

In order that said matter may be completed it is necessary to ask your Reverence if said letter came to his hands, who delivered it to your Reverence, who was it from, and what did it contain?

God give your Reverence many years.

San Antonio of Bexar, August 6, 1801.

John the Baptist of
Elquezabal.

In answer to the foregoing official letter I have to say to your Worship that having been in the town of Nacogdoches at the time when Philip Nolan made his entrance, free, to this Province, I acquired with him friendly intercourse, and familiar communication as did the others that knew him, from which it resulted that in his absence he sent me one, and another letter in which he saluted me according to the custom, and sometimes because of a few loads of necessities for the house that he had made, between these was the one of which you ask me, which was certainly brought by said Peter Harbo, but I do not remember if it was delivered to me by him or by another. And this is what I know concerning what you have asked me. For whose constancy I give this, which is signed in the Mission of the Holy St. Joseph this August 7th, 1801.

Fr. Joseph Manuel Gaetan.

Decree to proceed with the Inventory of the goods of Anthony Leal and his wife.

In the town of San Fernando and Royal Garrison of San Antonio of Bexar, August 8th, 1801, John the Baptist of Elquezabal, Lieut. Col. of Cavalry of the Royal Army, and Governor Provisional of the Province of Texas, in consideration that there is deposited in the Abilitacion of this Company the effects and movable goods belonging to Anthony Leal and his wife St. Gertrude, I command that notice be given to Mr. Anthony Rodriguez Vaca, that they are committed to his custody, maintained in his possession and likewise that he may execute the corresponding receipt, and for this appears the business signature of said official to which give faith.
John the Baptist,
of Elquezabal.

Inventory.

Immediately, John the Baptist of Elquezabal, Lieut. Col. of Cavalry of the Royal Army and Provisional Governor of the Province of Texas went to the house of this company, accompanied by my Scrivener, where appeared Mr. Anthony Rodriguez Vaca, and commanded that he should proceed to make a formal Inventory of all the goods belonging to the inhabitant, Anthony Leal and St. Gertrude, his wife, which he verified in the manner following:

Wearing Apparel.

11 pair of skirts, made.
1 short cloak of scarlet cloth for a woman, with gold lace.
5 nose handkerchiefs.
a linen fringe for bed.
3 chemises.
7 shirts for man, second hand & new.
1 pillow case.
some second hand table cloths.
1 pair men's cotton stockings.
5 black silk handkerchiefs.
1 waistcoat.
some trousers.
1 jacket,
2 cotton coverlets.
1 linen sheet.
1 large, silk embroidered handkerchief.
some cotton & wool breeches, cut with lining.
1 pair deer skin boots.
3 French blankets.

Furniture.

7 pewter spoons.
4 steel forks.
4 prs. paper scissors.
5 doz & 11 gilt buttons.
2 plates.
2 chests in which were the clothes.

10 earthen ware plates.
 3 " " cups.
 1 tureen,
 1 glass
 1 mirror.
 1 Holy Christ.
 1 paper image of our Lady of the Rosary.
 7 " " other saints
 5 iron weter pots, 1 broken, with lid.
 1 " pan
 1 " " flat
 1 pewter plate,
 1 curry comb
 2 iron hoes
 2 " shovels
 1 " half moon
 1 spade
 1 pewter mould for making candles
 7 old saddles
 12 bottles
 1 gun
 2 razors in their cases
 2 powder horns with powder
 2 " "without "
 2 pouches with 124 bullets
 5 moulds for bullets
 1 table knife
 1 bridle with headstall and reins
 1 pr. old cushions
 1 old pack saddle.
 1 tent of coarse brown linen.

Landed Property,

1 small adobe house with 2 old huts contiguous

Living Property.

2 negresses, one with a baby.
 1 old negro.
 11 horses.

And being all the goods that he found belonging to Anthony Leal and St. Gertrude, his wife, of which the undersigned Scrivener certifies and gives faith, the said Governor commands that for the greater security of said property it shall be solemnly deposited with Mr. Anthony Rodriguez Baca with the obligation of having the disposition of the same, in conformity to which all the goods enumerated in the foregoing inventory are delivered to him, taking them under the obligation and agreement and in the manner that has been said. And for this appears his signature with that of said Governor, of which I give faith.
 John the Baptist,
 of Elquezabal.

Antonio Rodriguez Baca.
 Andrew Benito Courbiere.

Reason Jesse Cook
and Peter Longueville
not having goods.

Immediately, John the Baptist of Elquezabal, Lieut. Col. of Cav., and Provisional Governor of the Province of Texas, In consideration that the American Jesse Cook and Francis Peter Longueville, possess no goods of any kind, command they should be placed for business of which I, the undersigned Scrivener, give faith.

Andrew Benito Courbiere.

Decree to continue
the business until con-
cluded.

In the town of San Fernando and Royal Garrison of San Antonio of Bexar, September 10th, 1801, John the Baptist of Elquezabal, Lieut. Col. of Cavalry of the Royal Army, and Provisional Governor of the Province of Texas, In view of the information that has passed Ensign Joseph Maria Guadiana, the Judge commissioned in Nacogdoches, in which is shown no new results charged to these prisoners in this cause, and that notwithstanding having afterward prepared to make inquiry on the subject, he has not received it until now, commands the continuance of this preliminary proceeding until the proof is received, thereby avoiding the considerable delay that would be experienced in waiting for said business. And for that appears the signature of said Governor to which I, the undersigned Scrivener, give faith.

John the Baptist,
of Elquezabal.

Andrew Benito Courbiere.

Procedure to collate
letter found in posses-
sion of St. Gertrude.

Immediately the said Governor commanded to collate and attach to this case the original letter of Mr. Philip Nolan to St. Gertrude that was found in Nacogdoches, in a house in which she kept her papers. And for that appears the business signature of said official; to which I, the undersigned Scrivener, give faith.

Elquezabal.

Andrew Benito Courbiere.

Nolan's letter.

My very esteemed and beloved Gertrudis: I owe to Davenport \$20, which do me the favor to pay and ask him for some papers of my arbitration with Murdoch. If by chance, alas, you are embarrassed by the going of the horses do not pay the debt, keep the money for your own use.

That little girl Shabus wrote me.

Arocha has come from St. Antonio and alas there is much trouble. It appears to me it will be necessary to freight a house to Nacogdoches for the time until I send the carpenter to make one. In all the months between I will send more goods and money if able to get them.

Have no anxiety, when I have a dollar I will give the half to thee.

The little Negress can expect the flowered silk.

In thee I have much confidence and thou mayst send to me with all liberty. I hope in the course of the year to come by sea to Natches on return from the colonies.

By the coming year I shall have a house and

shall have the greatest pleasure in seeing thee. I am enough embarrassed now in paying my debts and hope that the horses that will be brought from the colony the coming year will help me.

If thou dost command me or if thou desirest I will go to Nacogdoches to see thee in these colds though this composition is the cause of not having gone now.

Write me all thou thinkest and desirest and believe me with all my heart thine.

Many memories to the little girl. When thou goest lead the horse sent the little girl by me to Natches.

Farewell my dear Gertrudis. Write me all and send to Nacogdoches, and write my scrivener also.

Thy most constant,

Nolan.

If thou dost not, alas, trust to write of secret things thou canst say them to Mr. Cook.

Nolan.

Confession of Jesse Cook.

In the town of San Fernando and Royal Garrison of San Antonio of Bexar, this September 11th, 1801. John the Baptist of Elquezabal, Lieut. Col. of Cavalry of the Royal Army and Provisional Governor of the Province of Texas, went with the assistance of my scrivener to one of the dungeons of the chief guard of this Garrison where I found the prisoner, Jesse Cook, suspected of having secret correspondence with the American Philip Nolan, to effect the making of charges that result from the letters of information sent by the Commander by agreement and likewise of that which was found in possession of St. Gertrude. And for this appears the business signature of said official, of which I, the undersigned Scrivener, give faith.

before me,

Elquezabal.

Andrew Benito Courbiere.

Immediately said Governor made Jesse Cook to put the sign of the cross, and

Ques. If he would swear by God and the sign of the cross that he would speak the truth in that which should be asked him? Said, yes, certainly.

Ques. What secret correspondence he had maintained with Philip Nolan? Said none. To the charge how could he deny having maintained secret correspondence with Philip Nolan when it appears from the proceedings and document that said Nolan had confided in him? Said that he had never had anything secret with said Philip Nolan, neither had he communicated a thing of importance, that though they had the subject of one letter that is the only way they could infer or suspect that Nolan had written with the second design for it did not come to the hands of the declarant but was intercepted by the Spanish Governor and in this way better concealed their ideas.

To return to the charge of why he denied having

received other letters nor having understood some secrets of Nolan's when various of these appear, and also of declarations of not being possible that Nolan confessed to him in all his friendship, desiring to expose him to suffering without other purpose than to conceal the intentions with which he introduced him to this Country? Said that absolutely he had not received any letter in which Nolan had declared secrets nor neither information of his voyage. That the letter quoted above notwithstanding it was written by Nolan according to said declarant, the Commander of the Rapido (who showed a copy of it) never received it, because this official had cleared St. Joseph of the charge that he conveyed it; and if there are other letters they are false, made to do harm.

Ques. How many letters had Nolan written from Nacogdoches by means of St. Joseph when he went to Natches, where he found Nolan? Said only one relative to matters of business, a copy of which he had in his trunk when the papers were seized.

Ques. If he had anything to add or to take from? Said he would only offer to add for proof that he had not had mutual secrets with Nolan, that when he knew that the Commander of the Rapido had obtained of St. Joseph the letter that has been cited the declarant presented himself and solicited said official to instruct him, that if he was culpable he might absent himself immediately, since he had the time for it, without that nobody could injure him, but he did not have confidence in his innocence. That what he has said is the truth which he affirms and ratifies. This being read that it is his confession and signs with said official, and I, the present Scrivener.

John the Baptist,
of Elquezabal.

Jesse Cook.
before me,
Andrew Benito Courbiere.

Procedure to receive
the confession of St.
Gertrude.

Immediately said Governor passed with the assistance of my Scrivener, to another dungeon of the same guard, where was kept St. Gertrude, for making suitable charges, in view of the contradictions observed in her declaration and quotations that were made by Jesse Cook in regard to it and likewise by her husband, Anthony Leal, whom I found in the Powder Warehouse, and for this appears the business signature of said official, to which I, the undersigned Scrivener, give faith.

Elquezabal.
before me,
Andrew Benito Courbiere.

Confession of St. Gertrude.

Immediately the said Governor caused St. Gertrude to make the sign of the cross and asked if she would swear to God and the sign of the cross that she would speak the truth in that which I am going to ask her. Said she would swear.

Ques. How many letters she had received from Phil-

ip Nolan and what matters they contained? Said she did not know how many letters she had received from Nolan, and they treated of the payment of the men and that she should show them kindness in the price of the goods, adding that on his return from Natches he would pay to the declarant that which he had promised.

Ques. What secret matters she had maintained with Nolan and upon what subjects? Said that she had never maintained secret correspondence with Nolan only what is expressed in the foregoing question.

To the charge how she could deny the secret correspondence she had with Nolan when it appears by the proceedings and documents that she had confided things reserved? Said that she never had any particulars confidential with Nolan, neither received any letter that treated of this, and if any had appeared they were false, and had not come to her hands.

To return to the charge how she could deny having received a letter from Nolan that was secret when one was found in her trunk that showed various secrets prepared for, and that she could confide the rest to another person. Said that she had no idea of one, nor had she received a letter that contradicted a thing she had said.

Ques. Who made her house in Nacogdoches? Said that by virtue of an agreement celebrated with Jesse Cook, he had made it for the pay of three selected horses for each month that he labored.

To the charge how she could say that Cook had made her house when it appears in his own letter that Nolan would dispatch a carpenter to construct it? Said that this promise Nolan made on the first voyage when he went from Nacogdoches to Natches but that he had not effected it, nor did she know if it appeared in his said letter.

Ques. What goods she had kept in her house that were not her's nor her husband's, and what had become of them? Said she had not had goods within her house beside her own or her husband's.

To the charge, how could she deny having within her house goods of other individuals when it appears by the declaration of Jesse Cook that when he came from Natches he brought goods and kept them in her house, and that there they were sold for horses? Said that was null, that Cook never conveyed goods into her house.

Immediately the said Governor, to complete this citation, made Jesse Cook to appear, who received the oath and asked concerning the tenor of the foregoing question, said that it is certain that he conveyed the goods in the house of the declarant, but that he did not deliver them to her, and that he did not allege that she knew they were there, for Cook lived in another dwelling separate from that where she lived.

Ques. With what motive the Commander Michael del

Moral received a bundle that Nolan sent to this official? Said that when Cook came from Natches he brought a piece of French linen for Mr. Michael del Moral in payment of a horse he had sold, that he did not wish to receive it for it was ordinary, and he was promised fine, that Cook gave it to declarant and that she returned it to Cook who received it on her account and delivered it to Moral among other goods to restore \$50 that the declarant owed for the Royal tax for exportations, and that said goods were distributed to the troops by the said Commander for they were made into clothing.

Ques. How many horses had she on her ranch belonging to Nolan when she went finally to care for the "mestenas," and if some one was there in charge who took them to the place where they were? Said that on her ranch she had various horses of Nolan but they were colts, that none were tame, and that she did not know who conducted them to the place where they were found.

Ques. If she had anything to add or to take from this? Said she had nothing to add nor to take from, that what she had said is the truth under the obligation of the oath she had taken in which she affirmed and ratified it, which being read to her, that it was her confession, she could not sign it for she did not know how, the said Governor signed with me the present Scrivener—to have=testate tithes=why=testate tithes not farewell.

John the Baptist,

Elquezabal.

X

before me,

Andrew Benito Courbiere.

Confession of Anthony
Leal.

Immediately the said Governor with my undersigned Scrivener, went to the Powder Magazine, in which was the prisoner Anthony Leal, whom said official caused to make the sign of the cross and

Ques. If he would swear by God and the sign of the cross that he would speak the truth in what should be asked him? Said he would swear.

Ques. If when Nolan came on the second voyage to San Antonio he wrote a letter to his wife St. Gertrude that he could remain in her house? Said he did not write a letter for he did not know how to write, neither did he send to any one what they might do, that he was persuaded to ask Nolan in his house because of the offer he had made the declarant.

To the charge how he could deny having sent a letter by Nolan that he could remain in his house when it appears in the proceedings that he had directed his wife to this end. Said he had sent no letter only a verbal message in accordance with what he had expressed.

Ques. How many animals he had taken when he went to Natches and what he did with them? Said he took one hundred and fifteen horses, the one hun-

dred belonged to Nolan to whom he had sold them and the fifteen remaining of his account.

To the charge how he could say he had taken only one hundred and fifteen and of these only fifteen were his, when it appears by these proceedings that he had taken two hundred, all his own. Said he had not taken more than one hundred and fifteen in the form he had explained, and though there were various others they were not under his superintendence, but of Joseph Capuran, who sold them to Nolan on account of what he owed.

Ques. What amount of goods he had sent to his wife in a trunk? Said \$600, the same that Nolan delivered him on account of what he had.

To the charge how he could say that he sent \$600 when it appears by the declarations that there was only \$300. Said there were the \$600 that he had said, for Nolan charged him for that amount.

Ques. With what end he came ultimately to San Antonio? Said to sell his house and to buy some burros.

To the charge how he came to buy burros when it appears that in Nacogdoches he did not want two that he sold. Said that he did not wish in respect to those he asked \$25 for each in money.

Ques. Who bought the negress they had of Chabus, how much, and who delivered the value? Said that his wife bought her for \$600, which she delivered before the declarant returned from his voyage.

To the charge how he could say his wife had paid the \$600 when it appears in declaration that she gave him only \$300 and that the declarant at his return delivered the other \$300. Said that he is uncertain and that he has nothing more on the subject than he has expressed.

Ques. If he had anything to add or to take from. Said he had nothing to add nor take from, that which he had said is the truth under the obligation of the oath he had taken, which he affirmed and ratified, this being read said it was his confession, that he did not know how to write, made the sign of the cross, said Governor signed with the present Scrivener,=appears=between the margins=farewell.

X

John the Baptist,
Elquezabal.

before me,

Andrew Benito Courbiere.

Procedure for confronting Anthony Leal and St. Gertrude.

In the town of San Fernando and Royal Garrison of San Antonio of Bexar, on September 11th, 1801, John the Baptist of Elquezabal, Lieut. Col. of Cavalry of the Royal Army, and Provisional Governor of the Province of Texas; command that Anthony Leal and his wife, St. Gertrude, be brought face to face respecting the disagreement that has been seen in their declarations, and for this appears the business signature of said official with mine the present Scrivener of which I give faith.

Andrew Benito Coubiere.

Elquezabal.

Confrontation.

On said day, month and year, at 5 p. m. the said John the Baptist of Elquezabal, Lieut. Col. of Cavalry of the Royal Army, and Provisional Governor of the Province of Texas, passed with the assistance of my scrivener to the Guard of this Garrison and commanded that there be brought into his presence the accused Anthony Leal to put in execution the confrontation, and having been caused to make the sign of the cross

Ques. If he would swear by God and the sign of the cross that he would speak the truth on those points that I should interrogate him? Said he would swear, and having made him to enter into the dungeon where he found his wife, St. Gertrude, whom said official likewise caused to make the sign of the cross, and

Ques. If she would swear by God and the sign of the cross that she would speak the truth in what I should interrogate her? Said she would swear.

Ques. To Anthony Leal, if he knew the accused that was present? Said he knew she was called St. Gertrude, and that she was his wife, and having read to him in this statement the points of the declaration of the said St. Gertrude, and asked if he agreed with them. Said he did not agree with that declaration of his wife in regard to the letter that he had sent and \$300 that she said she paid on his return or the value of the negress, that he did not send a letter only a verbal message, and that the \$300 were not paid by his hand, that his wife showed him on his return from Natches it was already restored, that it was delivered when the goods were thus brought, in money with which it was regularly satisfied.

Ques. To St. Gertrude, if she knew him who was present? Said that she knew her husband, Anthony Leal, was present, that she is certain of what she said in her declaration in which she accordingly continues, that she does not know how to but makes the sign of the cross, and the said official signs and the present Scrivener.

John the Baptist,
Elquezabal.

X X
before me,
Andrew Benito Courbiere.

In the town of San Fernando and Royal Garrison of San Antonio of Bexar, on said day, month and year, John the Baptist of Elquezabal, In view of the stay to conclude the confessions I command that there be made known to Jesse Cook that I employ proof in security of his conduct of which I the undersigned Scrivener, notify him And for this appears the business signature of said official. To which I give faith.

Andrew Benito Courbiere.

Decree to gather the
proofs of conduct of
Jesse Cook.

In the town of San Fernando and Royal Garrison of San Antonio of Bexar, on September 12th, 1801, John the Baptist of Elquezabal, Lieut.

Col. of Cavalry of the Royal Army, and Provisional Governor of the Province of Texas, Having received the proofs of the American Jesse Cook has exhibited for the qualification of his conduct, Command that the original be gathered in four leaves, useful to this business, and for which appears the signature of said official, of which I the undersigned Scrivener give faith.

John the Baptist, before me,
of Elquezabal. Andrew Benito Courbiere.

Information instructing the town Judge Mr. Manuel Barrera, to the verbal petition of the Englishman Jesse Cook.

A. D. 1801.

one real,
Seal of the Collector, Royal, A. D. 1796 & 97.

San Antonio of Bexar, Sept. 1801.

The verbal petition of the Englishman Jesse Cook has come to examine five witnesses, worthy of credit by the tenor of the following interrogatories.

First when he became acquainted with him, and if he had observed or known any malicious spirit, restless, or given any sign of treason to the King. Int. If the first time he was in this Capital in the company of Mr. Philip Nolan, he knew in what agreement or with what end he accompanied him, and the same the second time when he was alone in this Province if he noticed, saw or knew that he brought anything contraband or the object he had in coming. Int. If he knew that after this he accompanied Nolan, or had correspondence with him who was accredited unfaithful, and on the contrary if he had known that such a man was very improper, turbulent and rebellious.

And to finish what may be the examination of the witnesses he delivers the original Information for the purpose that it may be closed, the which I thus command to be verified interrogating the witnesses that the party cited. I, Manuel Barrera, town Judge of the second precinct of this town of San Fernando, capital of the Province of Texas. Thus I have decreed, commanded and signed with the witnesses of my authority, with which decree from the delegate Judge I lack a scrivener, who is not in these legal bounds—between the margins—it is=farewell.

Manuel Barrera. of authority,
of authority, John Mn. D. Beramendi.
Joseph Amo. Ma. Gancedo.

Witness 1st, Anthony
Baca.

In consequence of the command in the foregoing decree he presented for a witness of this Information Mr. Anthony Baca, chosen actually of the body of magistrates of this town and informed of the
Inter. that this is the first office under his word of honor if he would speak the truth in all that he

should be asked, and was asked previous to the oath if he was ready, in consequence of which he Said that he had known Jesse Cook three years, in which time he had not observed or known him to manifest treason to the Sovereign. That the first time he knew him he was in the company of Philip Nolan, in the capacity of a salaried servant he entered this Province, that he knew certainly that it was for this motive and with no other end that he accompanied the said Nolan at that time, that the second time the said Cook returned to this capital by himself alone he did not know if he introduced any goods, and that if he secured any that his coming was not with harmful intention for that he did not give the most trifling reason to suspect him. That he did not know neither had he heard it said that after that time he returned to the company of Nolan, and much less that he had had correspondence with him. That he knew, and it is public the honorable and creditable conduct of said Cook, that he had given proof sufficient on the occasions when he had been in this state. That is all that he knows concerning the points on which he has been interrogated, and is the truth under the obligation of the oath which he affirms and ratifies, read it, that it was his declaration, said he had nothing to add nor remove from it, that he was fifty-six years old, that he is competent to be a witness, not having been advised, instigated or deceived in this declaration. In testimony of all which he signs with me the present Judge, and witnesses of authority, with whose decree as this I give faith=between the margins=not given=farewell.

Manuel Barrera.

Anthony Baca.

of Authority,

Joseph Am. Ma. Gancedo. of authority,

John Mn. D. Beramendi.

Witness 2nd, Alex.
Gortary.

Consecutively he presented for a witness for this Information the chosen Constable Mayor of this town Mr. Alexander Gortary and having full knowledge of what is required of him by his summons in this, offers by his word of honor, by virtue of the religion of the oath that he would speak the truth on what he should be able and was asked and reading the first interrogatory Said, he had known the Englishman Jesse Cook for three years, during which time he had not known nor had he noticed the least uneasiness of spirit that was unworthy, malicious or treasonable. That the first time said Cook was in this capital when he knew him he was in the company of Philip Nolan, to whom he was a servant in the work of a tailor, that, he presumed with reason, this was the motive he had in accompanying him, and no other, but he did not know this. That the second time said Cook returned to this Province, if by himself alone he did not know, neither had he

(Seal.)

heard that he brought any goods, neither that his coming was for a malicious purpose. That he did not know if afterwards he returned to associate himself with Nolan, or had correspondence with him on any subject. That the said Cook had been known and taken for a good man, of creditable conduct, and honest proceeding, a stranger to all suspicion. That all he has introduced is the truth by the oath he has taken, without suggestion, or deceit, which he affirms and ratifies, and having read this, his declaration, says he is thirty-three years old, and is competent to be a witness under the law, and for this appears his signature with mine the present Judge, and the witnesses of authority, with whose decree as referred to is given faith.

Manuel Barrera, Alexander de Gortary.
of authority,
Joseph Am. Ma. Gancedo. of authority,
John Mn. D. Beramendi.

Witness 3rd, Thos. de
Arocha.

(Seal.)

Immediately for the perfecting of this proceeding he presented for a witness Mr. Thomas de Arocha of this vicinity, and a patriot and by decree the witnesses of my authority, received the oath that was made in form by God and the sign of the Holy Cross by which obligation he would speak the truth in all that should be put to him, and was asked, and the order of Interrogatories being put to him, to the first, Said, that when Philip Nolan was in this capital the second time he had in his company the Englishman Jesse Cook in the capacity of a salaried servant, and from that time he had known him, but he did not know nor had he heard it said that for other motive, or with other end Nolan had brought Cook in his company, And that during this time he had in no way shown any appearance of malice. That the second time when he last returned by himself alone to this capital, he did not know whether he had brought any goods, nor that his coming indicated malice, that he did not know if afterwards he returned to the company of Cook, or had correspondence with him. That he knows the honesty of said Cook and that is public. That what he had related is the truth by the oath he had taken, in which he affirms and ratifies it, reading it, says this is his declaration, and that he has given it without compulsion or deceit. Says he is forty-five years old, and is competent to be a witness under the law, and signs with said Judge and witnesses, with whose decree as referred to is given faith=

(Seal.)

Manuel Barrera. Thomas de Arocha.
of authority,
Joseph Am. Ma. Gancedo. of authority,
John Mn. D. Beramendi.

Witness 4th, Franco.
Rodriguez.

Immediately for the course of this Information, he presented for a witness Mr. Francisco Rodrigues of this vicinity, and a patriot, and by my before mentioned authority he received the oath which was in that form, that by our God and the sign of the Holy Cross, by which obligation he would speak the truth, in what should be put to him, and being examined in the same order as the rest, Said that it was two years that he had had practical knowledge of the Englishman Jesse Cook, in which he had not known, nor had he heard it said that he had shown any malice or deceit that indicated treason, that he knew for certain that the first time that he was in this capital he was in the company of Philip Nolan, was a salaried servant, not for another motive, and the second time said Cook returned by himself alone, he does not know, neither has he heard it said that he introduced anything contraband, and much less that his coming was for any pernicious purpose. That he does not know whether after this he returned to the company of Nolan or had any correspondence with him. That he certainly knows that Cook on the occasions when he was here had shown himself to be a man of honesty and correct conduct. That what he has related is the truth, and that which he knows concerning that which he was asked, without having been suggested, coerced, or deceived. In that he affirms and ratifies. Says he is forty-four years old, and competent to be a witness under the law. And for his constancy he signs with me the said Judge and witnesses, with whose decree as of this is given faith.

Manuel Barrera.

Franc. Rodrigue.

of authority,

Joseph Am. Ma. Gancedo.

of authority,

John Mn. D. Beramendi.

Witness 5th, Michael
Gortary.

In conclusion of this Information, was presented for a witness of that Mr. Michael Gortary, an inhabitant of this town, to whom I give faith. I know and before the witnesses of my authority with whose decree, as Judge's Secretary, for lack of any Scrivener in this legal boundary, he received his oath, made in form by our God and the sign of the Holy Cross, by which obligation he promised to speak the truth in what should be put to him and he should be asked, and being asked for the tenor of the first interrogatory, Said, he had known Jesse Cook from the time he entered this capital in company of Philip Nolan, that he had never observed a restless spirit, nor other maliciousness. That he knew certain that he came with said Philip Nolan as a salaried servant, and that on the second time when he was alone by himself in this Province he did not introduce anything contraband, nor was his coming able to cast suspicion for he had not observed any rest-

lessness. That neither did he know if afterwards he returned to the company of, or had correspondence with Nolan over any subject that would condemn him. That he knew and it was public that said Cook on the occasions when he was here had shown his honesty and creditable conduct, and had given no reason why he should be trifled with. That this is all he knows on the points that he has been interrogated, and is the truth under the obligation of the oath, in which he affirms and ratifies it, being read said it was his declaration. Said this was the same that he had given without suggestion or deceit, that he is competent to be a witness under the law, that he is thirty-seven years old, and for his constancy he signs with me the said Judge and witnesses of which decree this is given faith.

Manuel Barrera. Michael Gortary.
 of authority,
 Joseph Am. Ma. Gancedo. of authority,
 John Mn. D. Beramendi.

San Antonio of Bexar, August 11th, 1801.

Having already examined the five witnesses cited by the party for the Information as solicited, deliver the original according to request for the purposes to which they belong.

I, Manuel Barrera, Town Judge of the town of San Fernando and Garrison of San Antonio of Bexar, thus decree, command and sign with the witnesses of my authority, with which decree by the power of the delegate Judge, for lack of any Scrivener within the legal bounds, I give faith.

Manuel Barrera.
 (witness) of authority,
 Joseph Amo. Ma. Gancedo. of authority,
 John Mn. D. Beramendi.

Decree remitting to
the Superior.

In the said Garrison this September 13th, 1801. John the Baptist of Elquezabal, Lieut. Col. of Cavalry of the Royal Army, and Provisional Governor of the Province of Texas. In view of finding the conclusion of the present preparatory proceedings, command that the original thirty-nine leaves, useful, be directed to the Lord Commander General, Marshal of the Country, Sir Peter de Nava, that they may serve him in determining that which shall be to him agreeable. And for that I sign with my present Scrivener.

John the Baptist,
 of Elquezabal. Andrew Benito Courbiere.

Return of having sent
it.

I, the undersigned Scrivener, certify that on this thirteenth day of September, A. D. 1801, he sent the Lord Commander General this preparatory proceeding on the thirty-nine useful leaves that contain it, and for which appears this return which I sign.

Andrew Benito Courbiere.

LETTER FROM GEORGE POINDEXTER TO FELIX
HUSTON.¹

Washington City,
March 9, 1834.

My Dear Sir:

I received some time since a short letter from you respecting your account at the Genl. P. Office.

Having no personal communication with the Head of that Department, or any other Dept. of the Government, I could only address a note expressing your wishes upon the subject, to which as yet I have received no reply.

I will endeavor to bring the matter to a close before the adjournment of Congress. Your last favour of the 5th ultimo was reced a few days past, for which I tender you my thanks. I had heard before of the distress in the money market at Natchez, but your letter gives me a more gloomy picture of the actual state of things than I had anticipated.

The prospect before us is in the highest degree appalling and portentous.

The remedy is in the hands of the people, and until they apply it, by the suffrages at the popular elections, they may look in vain for any redress from the Government. To sum up in a few words, all that I can tell you of this subject, you may set down the following postulata as certain. 1st. The Deposits will not be restored to the Bank of the U. S. 2nd. The Bank will not be rechartered, or substituted by another chartered Bank, during the existence of this Administration. 3rd. The State Banks will receive a distributive share of the public revenue, in such proportions, and under such selections as may best contribute to the election of Martin Van Buren, as the successor to the Presidential Chair. 4th. If the plan is successful the same policy will in future be preserved; combining the purse and the sword in the same hand, with the patronage of Office, and the Veto Power; the whole Government will at once be concentrated and wielded by the Executive will, which if submitted to, by the people, must result in the overthrow of the

¹This letter was presented to the Mississippi Historical Society by the Rev. T. L. Mellen, of Forest, Miss.—EDITOR.

Checks and Balances provided for in the Constitution: and thus the Office of President will, from time to time, descend on any favourite who may be designated by the Incumbent.

The Question now fairly submitted to the American People is an issue between Power and Liberty. The People must decide it for themselves, and if they do not interpose to save themselves, usurpation will move on with giant strides to the climax of Ambition, Avarice, and Despotism.

At a very early period, after I took my seat in the Senate, I saw indications, which were satisfactory to my mind of the advances to Arbitrary Power; I resisted them, at the hazard of incurring the displeasure of my Constituents, who were blinded by their enthusiastic devotion to Genl. Jackson. I have faithfully warned them by written communications and personal explanations of the dangers, which were seen in prospective and in actual operation on their rights, their Honors, and their Best Interests.

I have been led to believe that these warnings have had but little effect upon the public mind in Mississippi.

I have been condemned for sacrificing my own personal advancement in political life to my duty as an individual Senator, in defending the best interests of those whom I represented; I have nevertheless persevered in what I believed to be an honest course, and now that ruin must be the inevitable result of the recent measures of the Executive on the great planting and commercial interests of Mississippi, I indulge the hope that their eyes will at length be opened, and that my course will be properly appreciated.

You will perceive by the public print that I have entered only incidentally into the discussions growing out of the despotic question.

One of my short speeches which touches this question has been deemed worthy to be printed and distributed in pamphlet form. I have enclosed you a copy, altho' I have no doubt you had before seen it in the Nat. Intelligencer. I am somewhat surprised that my speeches do not find a place in the newspapers of Mississippi, as they are the only medium through which the people can be informed generally of my opinions on public matters, and the reasons on which they are founded. I seek no popular favour having nearly already exhausted myself in the public service, but I think it is due to justice and candor that

my conduct here should be understood by the people whom I represent. It is not my intention to deliver a speech at large on the Deposit Question. The public has already been overstocked with speeches of this description, but I shall seize an opportunity at no distant day of delivering my sentiments at large on the State of the Nation, tracing distinctly the gradual encroachments of executive power on popular rights, and the prostration of all the other Departments of the Government.

My duties here occupy so large a portion of my time that I have scarcely a moment to devote to private correspondence. I therefore crave the indulgence of my friends for an apparent neglect in this respect.

The opposition in the Senate is composed of mixed materials; they unite very well in resisting the late movement of the Executive, but I am apprehensive that when the discussion is ended, others will arise, which will cut up that majority into fragments, if they do not tend, which I fear they will, to strengthen the party which is united in solid phalanx in favour of the election of Van Buren as the successor of Genl. Jackson, for myself I have but one duty to perform, and but one object in view, which is exclusively directed to the preservation of the Constitution and the Union, as identified with the glory and prosperity of my country. I am decidedly in favour of Mr. Clay as the next President, altho' I may differ with him on some points of National Policy.

But there are some ambitious Statesmen in the South who cannot be brought to his support, and in our Divisions it is apparent the enemy will be strengthened and we may in all probability be defeated.

If all the points of opposition could be united, it would be strong enough to overturn the mad schemes of the mad Administration, but this is doubtful. I should be glad to know how Jacksonism stands in Mississippi.

I shall send you in a few days some of my speeches on the Public Land Bill, which I beg you to distribute as you may judge best.

With my best wishes for your happiness and prosperity, I remain

Your friend and most obt svt

George Poindexter.

Felix Huston, Esq.

THE HISTORY OF A COUNTY.

BY MRS. HELEN D. BELL.¹

On a crisp October day in the year 1820, when the sun was only a few hours high, silently there began to gather in the Council Square at Doaks Stand, the Chiefs, Mingo or Head Men, of the Choctaw tribe. Grave of aspect, their dignified demeanor proclaimed that they had gathered together for an occasion of serious moment.

They had traveled through the scarcely unbroken forest of brown and yellow for days; so intent were they upon the great question bringing them together that the deer, bear and smaller game, which came across their path, were allowed to flee unmolested. To them the forest was full of gloom, their ears were deaf to the music of the birds, their hearts were filled with only one thought, which crowded out all else, that they were about to sign away their heritage given them of God.

Now gathered in their Council Square they awaited with unmoved faces the coming of the white man. Not long did they have to wait. Their sensitive ears soon caught the sound of horses hoofs on the carpet of brown and crimson leaves, their penetrating eyes detected the gleam of the sun on polished steel as from the depths of the virgin forest rode the Plenipotentiaries of the United States and the State of Mississippi, General Andrew Jackson and General Thomas Hinds, arrayed in all the military glory of generals of the United States army. After them came a goodly company of men who had long been interested in having this land annexed to the State of Mississippi. This meeting, under the blue dome of heaven, which meant so

¹ Mrs. Helen D. Bell was born in Madison county, and grew from girlhood to woman-hood within the State. She was educated entirely within the State, and her great pride is that she is "purely a Mississippi product." In 1896 she was elected State Librarian, and held the office for four years. She is an active member of the United Daughters of the Confederacy, being Historian for the W. D. Holder Chapter. She was the second woman to join the State Historical Society and work for its advancement. She has written much for the press, and is ever ready to give her pen and time for the good of the State she loves so well.—EDITOR.

much to the early settlers of our State, and alas! how much more to the red man, who was soon to wrap his blanket around him and move to far unknown lands, was, in a large measure, due to the zeal and patriotic endeavor of Governor Poindexter, who had been inaugurated the January before, and whose tireless brain, ever awake to the needs of his people, recognized that the country must grow, and used all his matchless skill to induce the government to call this meeting.

The two men authorized by the government to speak for them on this important occasion had been wisely chosen; both crowned with glorious military achievements, fresh from conquest, with faith in themselves and belief in the glorious destiny of their country. Wise in dealing with the Indians, and accustomed to their manners, they came with a knowledge beyond their countrymen, to smoke the pipe of treaty with the Southern Indian—who is characterized by Claiborne as “a born politician and diplomatist.”

As General Jackson quietly dismounted his face wore the same determination that caused him to overcome all obstacles, that determination to conquer, which had made the famous Tom Marshall, of Kentucky, exclaim in one of his stump speeches “We have Jackson to fight, gentlemen, and he is a host of himself. He has whipped every adversary; he whipped the Indians; he whipped the Spaniards at Pensacola; he whipped the British at New Orleans; he whipped Clay and Adams, and Calhoun; he whipped King Biddle and the bank, and now he has turned Presbyterian and will whip the devil.”

The work accomplished on that October day eighty-one years ago, is found in Hutchinson's Code:

“James Monroe, President of the United States of America, by Andrew Jackson, of the State of Tennessee, Major-General in the Army of the United States, and General Thomas Hinds, of the State of Mississippi, Commissioners Plenipotentiary of the United States on the one part, and the Mingoes, Head men and warriors of the Choctaw nation in full council assembled, on the other part, have freely and voluntarily entered into the following article, viz: * * * * * cede to the United States of America, all the land lying and being within the boundaries following, to wit: Beginning on the Choctaw boundary, East of Pearl River, at a point due south of the white oak spring, on the old Indian path; thence north to said spring; thence northwardly to a black oak, standing on the Natchez road, about 40 poles eastwardly from Doak's fence, marked A. J. and blazed, with two large pines and black oak standing near thereto, and marked as pointers; thence a straight line to the head of Black Creek, or Bogue Loosa; thence down Black Creek

or Bogue Loosa to a small Lake; thence a direct course so as to strike the Mississippi River one mile below the mouth of Arkansas river; thence down the Mississippi River to our boundary."

This treaty was received with so much favor and enthusiasm that the legislature on February 9th, 1821, passed the following public resolution of thanks:

"Resolved: by the Senate and House of Representatives of the State of Mississippi, in general assembly convened, That the thanks of the general assembly, of this State, be presented to Major General Andrew Jackson, and our distinguished fellow citizen, Major General Thomas Hinds, Commissioners Plenipotentiary, on the part of the United States to treat with the Choctaw tribe of Indians, for their patriotic and indefatigable exertions in effecting a treaty with the said tribe of Indians, whereby their claim has been extinguished to a large portion of land within this State."

On February 12th, 1821, the Legislature of the State of Mississippi passed an act declaring that "all that tract of land ceded to the United States by the Choctaw nation of Indians on the 18th day of October, 1820, and bounded (as above stated) shall be and is hereby directed and established into a new county, which shall be called and known by the name of Hinds County." We also find in Section 2 of the said Act of 1821, that the "said county shall be attached to the first judicial district." Thus Hinds county came into existence—its heritage a goodly country of wide prairies, fertile valleys, and wooded hills. But it had no life, no voice in the affairs of state until on February 12th, 1821, Governor Poindexter approved the following Act:

"Be it enacted by the Senate and House of Representatives of the State of Mississippi, in general assembly convened, That the Governor of the State, be, and he is hereby authorized to issue his proclamation, ordering and directing the election of a Sheriff and Coroner, for the county of Hinds, and that he direct the same to such person as he may think proper, to hold and conduct said election, at such time as he shall designate in said proclamation; anything in the act establishing the said county of Hinds to the contrary notwithstanding."

In the year 1821 Hinds County sprang into prominence from an Act passed by the legislature to locate the seat of government within its borders. The Commissioners appointed for this purpose selected Le Fluer's Bluff, and it was ordered to be named "Jackson" in honor of General Andrew Jackson, a just and appropriate tribute to him who had successfully treated with the Indians.

In 1826 the Hempstead Academy was incorporated, and lo-

cated at Mount Salus, but it did not come into active existence until 1827, with F. G. Hopkins as President. In an Act approved February 5th, 1827, we find that "the name of the Academy in the county of Hinds, called Hempstead Academy, shall be called and known by the name of 'Mississippi Academy.'" Sections 2 and 3 of said Act read as follows:

"That the said President and Trustees, for the time being, may, and they are hereby authorized to raise, by lottery or lotteries, on such scheme or schemes as they may adopt, any sum of money not exceeding twenty-five thousand dollars, for the use and benefit of said academy.

"And be it further enacted, that it shall and may be lawful for the proprietors of the town of Clinton, in Hinds County, to dispose of such lots in said town of Clinton, as they may see cause, by lottery or lotteries, under such scheme or schemes as they may adopt."

What a radical change of sentiment has taken place since that Act of 1827! Then, lotteries were looked upon as a good and legitimate method to raise money for the support of "Mississippi Academy;" to-day that College is maintained and supported by a Christian denomination, whose adherents would bring all the weight of their influence to crush a lottery, if proposed in connection with it. "Verily the times make the men."

This Hinds County College was one of the first to be established within the State, and flourished for a while but became involved in debt and was in consequence thereof ordered to be sold. In 1841, it was offered to the Mississippi Methodist Conference, and was declined by one vote. In 1842, it was placed under the control of the Clinton Presbytery, which gave it up in 1850. It was then transferred to the Mississippi Baptist State Convention, and became the college of which to-day, not only Hinds County, but the whole State is proud.

In this village of Mount Salus was located the United States Land Office. It was the home of many men prominent in the history of our State.

The county grew rapidly in population, so much so that it was deemed wise to take from it some of its power and territory; and on January 21st, 1823, an Act was passed by the legislature taking out of Hinds county "All that tract of country within the following boundaries * * * shall constitute a county to be called and known as Yazoo."

And Section 7 of said Act says, "All that tract of country * * * shall form a new county, to be called and known by the name of Copiah."

Five years later, on February 4th, 1828, an Act was passed providing that "All that portion of Hinds county lying and being east of Pearl river, shall form and constitute the county of Rankin, in memory of the late Honorable Christopher Rankin."

And on February 5th, 1829, Hinds county gave out of her broad acres "the fractional township seven, in Ranges two and three * * * to be attached to Madison county."

According to this record Hinds county has a just and proper claim to the title, "Mother of Counties;" for out of these desirable children, who do her reverence, were born other counties, her grand-children, as it were, jewels of worth in her crown of motherhood. "A happy issue, and a glorious fate."

It was in 1822 that the county first sent men to represent her interest in the affairs of State, selecting as their representatives in the General Assembly, which convened at Columbia, Hon. Samuel Calvit as Senator and Hon. Benjamin F. Smith as Representative.

Clinton was for a short time the county seat. It also possessed several banks. We read in the published proceedings of the Constitutional Convention of 1832, that J. W. Sumner was accorded a seat in that body to report the debates for his paper, the *Constitutional Flag*, which was issued at Clinton. This Constitutional Convention of 1832 was the first in which Hinds county had a vote. Her delegates, David Dickson, James Scott and Vernor Hicks were all men of note. Ten years before this (1822) Mr. Dickson had served as Lieutenant-Governor and President of the Senate. In the Constitutional Convention of 1890—fifty-eight years later—a Hinds county citizen, Hon. S. S. Calhoun, was President.

On February 4th, 1828, the legislature ordered the election for five commissioners to locate a site for the court house. They were required by said Act to put it in Clinton or within two miles of the center of the county; this center was found about two miles from what is now the town of Raymond, and was marked by a large stone, which is said to be still one of the landmarks of that section. In 1829 Raymond, by an Act of the legislature, became the county seat, but the first court house was not erected until 1858.

"Courage is a high quality—courage, perfect, multiform and unquenchable, one of the highest and rarest." These pioneer

settlers of Hinds county possessed this trait. They fought and conquered all the difficulties and dangers that confront the inhabitants of a wild, new country; and just as they were entering upon the peace which cometh after labor well done, the call came in 1846 for men to re-enforce General Taylor's army on the Rio Grande. Hinds county organized two companies which became a part of the famous First Mississippi Regiment, with Jefferson Davis in command and Alexander McClung as Lieutenant-Colonel, and A. B. Bradford as Major. John L. McManus was captain of Company E, and James H. Hughes and Crawford Fletcher lieutenants. Company G was officered by Captain Reuben N. Downing and lieutenants William H. Hampton and S. A. D. Greaves.

The records of the Mexican war tell us that these two companies did gallant service and won glory on the fields of Buena Vista and Monterey. After a year's absence they returned to be welcomed with great rejoicing.

The first newspaper issued in the county was published at Raymond in the year 1830, with Samuel T. King as editor, and was called the *Public Echo*. In 1838 the first railway traversed the county, the Vicksburg and Meridian Railroad, which is still in existence.

Many of the towns and villages that flourished in the pioneer days of the county are now defunct. It was a common saying, in discussing the progress of the new county, to say, "Raymond is the seat of justice, Clinton of learning, and Amsterdam of commerce." There is to-day no vestage of the last of these, which was once a thriving town on Black river.

The population of the county in 1830, according to the first report made by Hon. John A. Grimball, Secretary of State, September 20th, 1832, was 5,340 souls. I notice in the recent census report sent out by the United States government that Hinds county had in 1900, 52,577, an increase of 13,298 since the census of 1890.

The county grew apace, and within its borders were enacted many scenes and many events that effected the whole State. It was in the old capitol, on the banks of the Pearl, that the historic body of men known as the "Secession Convention" met, and on the evening of January 9th passed amidst breathless silence the ordinance "to dissolve the union between the State of

Mississippi and other States united with her under the compact entitled "The Constitution of the United States of America." And it was on this occasion, in Hinds county, that the "Bonnie Blue Flag" was first waved, and the night after the song which has that title was sung for the first time within the walls of a Jackson theatre. And it was in Hinds county that the now famous Australian ballot system, which has brought peace within the borders of the State, was enacted into law.

But of all the dear memories that linger around the old county of Hinds the most sacred are those that hover about her battlefields. On Champion Hill, and near Baker's Creek, many gallant men dyed her green hills and fields with their life-blood. To-day the men of Hinds county tell of many heroic deeds that thrill the heart and make the eye glow, of last words spoken on her "everlasting hills," words and deeds that will never die, a heritage not only to the county but to the whole State. Among the many deeds of daring and valor still related around the firesides of the citizens of this county is one which tells how the intrepid Captain Add Harvey, of the famous Harvey Scouts, with a small band of his faithful followers, dashed into the city of Jackson, then occupied by a large force of Federals, and removing from the State Capitol the Stars and Stripes substituted therefore the Confederate flag.

And what of this "Mother of Counties" to-day? With a net work of railroads she is the natural distributing point of the State. Her towns and villages are on every slope, her colleges on every hill, her churches at every cross road. In progressiveness, intelligence and thrift she is the peer of any in the State. Into her keeping is intrusted many of your State institutions. Many gifts have you given her all of which she appreciates and guards with sacred trust, and the last proof of the brotherhood of counties is your million dollar State House, which she accepts with grateful honor hoping to prove worthy of the trust bestowed.

Each county must be true to its individual liberty, together with its equally significant counterpart, individual responsibility. Let the citizen understand that his guarantees of the equal blessings of life, liberty and the pursuit of happiness are active living powers, and he will give to his family, to the community, county, State and nation solid character. But let him

once become convinced that these assurances are deceptive frauds, that in fact he has no individual liberty, no personal political responsibility, he is cowed, his manhood lost, his ambition destroyed, his patriotism is crushed and he is an anarchist. The first material manifestation of the good results of the individual independence of the citizen is found in the public government of counties, and it radiates through the State and nation like the waves of the ocean from the dropping of the pebble. So the character and political power and influence of the county is shaped according to the character of its inhabitants and has its correspondent effect upon the character of the entire State.

What constitutes a county?

“Men, high minded men,
Men who their duties know,
But know their rights, and knowing dare maintain.”

RECOLLECTIONS OF PIONEER LIFE IN MISSISSIPPI.

BY MISS MARY J. WELSH.¹

In February, 1834, my father, George Welsh, Sr., brought his family from St. Stephens, Ala., to what was then called the "Choctaw Nation." The previous year he had sent by his brother Victor Welsh two hands and mules that he might get a preëmption and withal make some provision for our arrival. We came by boat on the Tombigbee to Gainesville, Ala., then a small river town with many promising indications of the rapid growth which it afterwards had. The trip to our destination, exactly where the ruins of old Wahalak now are, in wagons, on horseback and on foot (eighteen miles by actual measurement, but then twenty or more), was made in a day; but it was no picnic. The road through the woods followed the newly made blazes, forded Bodka creek and crossed a section of Wild Horse prairie, leading in a northwesterly direction. It was "grubby, stumpy, muddy and *sloshy*." The weather was cloudy, damp and cold, with a slight breeze. It was what the

¹ Miss Mary J. Welsh was born at St. Stephens, Ala., Nov. 9, 1823. Her father, Capt. George Welsh (son of William Welsh and Jane Thompson), was of Irish descent, and removed from Pennsylvania to Buncombe county, N. C. He took part in the War of 1812, being mustered out of service at Fort Claiborne, Ala., and settling at St. Stephens in the same State. Her mother, Sally Gordy (daughter of Elijah Gordy and Tabitha Melson), was of French descent, and removed from Delaware to Clinton Jones County, Ga., about 1806. In 1833 Miss Welsh's family removed to what afterwards became Kemper county, Miss. After the War between the States they settled at Shuqualak, Miss., where Miss Welsh now resides. The accompanying contribution gives other facts in her early life. After teaching for several years she was connected with the Baptist Orphans' Home at Landerdale, Miss., where she edited *The Orphans' Home Banner*. After spending several years (1873-'7) in the employment of the Baptist Publishing House of Memphis, Tenn., she entered the office of *The Baptist Reflector* and the *Happy Home*, at Nashville, Tenn. She is the author of "The Model Family" (1858), "Aunt Abbie" (1859), and the "Baptist Denomination" (1860). She has also prepared three Sunday school books, two of which were published, but the manuscript of the third and largest was destroyed in the burning of the Baptist Publishing House in Philadelphia, Pa., a few years ago. Her "Reminiscences of Old Saint Stephens" was published in the *Transactions of the Alabama Historical Society*, Vol. III., pp. 208-'26.—EDITOR.

old people called "a raw day." The trip I made on horseback, behind my mother, with no rest except a few minutes for lunch. This was my introduction to pioneer life, which I afterwards enjoyed to the full measure of a child's capacity. I was then just ten years of age.

PIONEER SETTLERS.

In the history of any section the settlers claim the first attention. Not many had preceded us, but several came about the same time or soon after. Of those who were strictly farmers, I recall the names of Warren Johnson, David Lisle, Wm. McClurg, Victor and George Welsh, Wm. Felts, Shadrick Rowe, Griffin Steele, Pringle Baskins, Sam. Boughton, the Wilsons, Cates and Andersons. Others who combined other occupations with farming were, Wm. Jones and Rev. James Carothers. Others whom I cannot certainly locate within the period from '34-'36 were John Malone, the Moseleys, Ruperts, Barneses, Sanders, McCaleb, John Kerr and Geo. Bannerman. They were all farmers and had a share in developing the country.

The earliest settlers were of various degrees of wealth, but all men of strictly moral and religious sentiment, which gave a healthy tone to the whole community infinitely more valuable than any amount of material wealth without it. No word can express more plainly what manner of men these were, than the fact that as soon as they provided rude shelter for their families they built a school house and churches and procured the services of a teacher and pastors respectively.

EARLY HOUSES.

The first requisite in a new country is shelter for man and stock. With all these settlers these needs had to be supplied in haste, for the land had to be cleared and fences made in time to start a crop. But the material was at hand and plentiful; labor was controllable and neighbors cheerfully assisted each other at house raising and log-rolling, each bringing two or more hands with him. These occasions were always enjoyable, the work being lightened by jest and laughter and by the anticipation of a good dinner and a hearty welcome into the home at noon. Suppose we call them "social functions" in the woods. I presume the buildings did not differ from those in

all new countries. The cabins were roughly built of logs, with stick and mud chimneys and clapboard roof. The cracks of dwelling houses were lined with boards and daubed with mud, or merely chinked and daubed, according to circumstances. The door shutter was a huge batton frame, covered with clapboards. The windows, if there were any, were openings about two feet square, closed by a curtain, or at best by a shutter, like the door. Often a crack by the fireplace was enlarged to give the mother a little more light on her sewing. The floor, if by good fortune it was of plank, was more costly than all the rest of the building. The only mill within reach was on Running Water creek about twenty miles away, more or less, according to the season and the state of the roads. Sawed lumber was costly and could be used only in building the family room. It was put down loosely and when well shrunken was driven up tight and nailed. The only planing it received was the frequent application of the scrub broom. A few people, at a cost of much labor hewed out "puncheons" for floors; others built their cabins flat on the ground and there lived comfortably and contentedly with their families, waiting for better times. One man who had only enough plank to cover three-fourths of his floor left the other fourth open. As he had no slaves the one room served for kitchen, dining room, and living room. The good woman was a model of neatness and kept her house and all within it as clean and bright "as a paper of new pins." A few of these dwellings had two cabins with what we called a "passage" between them; others had a shed room, the frame of which was made of skinned poles, weatherboarded with clapboards. Most of the farmers were content however with one room for the first year. I remember one cabin was built with a view to having another put opposite to it, hence the roof was extended over the prospective "passage," and the sills protruded on both sides. The housewife placed a high-posted bedstead under this roof and hung thick homespun curtains around and over it, and thus made a private and pleasant sleeping place for two of her boys. This was the bedroom of the late Hon. Israel V. Welsh and his younger brother, Geo. L. Welsh, during the spring and summer of 1834. The next year they had a room across the "passage," but it had a dirt floor. In this same floorless room I took my first lesson in Natural History by watching

a toad catching flies. The length of his tongue, the rapidity of its flash, the precision with which he struck the fly every time, was a marvel to me, and I sat entranced until he finished his meal and hopped away. Of course, there was abundant ventilation in all these houses and it was pure and healthful air from the woods. Fireplaces were large and wood plentiful, and it was heaped on without stint. Notwithstanding the stick and mud chimneys and "logheap" fires there were then no "house-burnings" in that section, and insurance was unknown. As nails and hinges were too costly for general use the roofs of kitchens, negro cabins, &c., &c., were held down by "weight-poles," and the "door shutters" and gates were hung on wooden hinges. Yards as well as lots and fields were inclosed by rail fences, but they were substantial ones, ten rails high, "staked and a rider," stock proof. There was then no disagreement between neighbors on account of defective fences. These descriptions apply particularly to the very early settlers, from about 1833 to '36. As years passed and facilities increased, many improvements were introduced. Large frame houses, elegantly furnished, dotted the country here and there, but down to the War between the States many of the people were content to dwell in log houses with modern improvements and furnishings.

FURNITURE.

The furniture of these early cabins was scant. The long journeys in wagons from the older states prevented the bringing of anything but the bare necessities. These provident housewives all brought their feather beds and bed clothing, a bedstead or two, a few chairs, a little table furniture, a few things for the kitchen, and the indispensable wheel and cards. The few empty barrels and goods boxes they possessed were utilized as furniture. Holes were bored into the logs, strong pegs driven into them and boards laid across to make shelves both within and without dwelling houses and kitchens. A series of shelves with a curtain hung before them made a convenient cupboard or wardrobe, as occasion demanded. In this connection, my mother's first cradle in Mississippi deserves mention; for I doubt if its counterpart was ever known in the civilized world. In those days sealskin trunks (made of wooden frames with

rounded tops, covered with sealskins) were common. The hinges of one of these being broken in moving, my father, with hatchet and drawing knife, made a pair of rockers, which he nailed on top of the lid, turned it up and thus made a cradle for the baby. As most of the cradles were rudely constructed of clapboards this one was greatly admired by the mothers of the community. One mother had a cradle made out of a section of a hollow log, across which boards were nailed. The want of bedsteads was easily supplied. A rude corner post was provided with two holes mortised into it near the top. Into each of these holes the end of a skinned pole was stuck. The other end of these poles rested in a crack of the wall. A platform of boards, a mattress of shucks with a good feather bed on it made a more comfortable sleeping place than one who has never tried it can imagine. With an earthen floor the work was simplified; for a forked stick driven into the ground served for a corner post. These bedsteads were necessarily hard and rather narrow, but reasonably comfortable for contented people. In truth, contentment, which was the prevailing grace of this community, smoothed the rough places and rounded the sharp corners of life for these hardy pioneers and helped to convert their rude log cabins into palaces. They fully realized that "a man's life consisteth not in the abundance of the things which he possesseth."

FARM WORK.

The nearest mill to our settlement was on Running Water. As the trip consumed two days in good weather, nearly every pioneer owned a steel handmill, and the daily supply of meal was ground by a strong negro boy or two, who left the field early every afternoon for that purpose. Most of the land in our immediate section was heavily timbered with a dense undergrowth. As the "clearing," fencing and preparing for a crop had to be accomplished by manual labor, one stroke at a time, it was slow and heavy work. But the soil was fertile and amply repaid the laborers in the yield of corn, cotton, potatoes and peas, the crops generally raised. In later years wheat was grown, but never extensively. The early cotton crops were so heavy that the larger boys were stopped from school every fall to help pick it out. New land was cleared every year for many

years, the useless timber and brush being burned. At night these burning logheaps and piles of brush, which were dotted thickly here and there over the ridges, gave to the natural scenery an added beauty peculiar to a new country. The approach to a hilly city—as Vicksburg or Meridian—after night-fall comes nearer reproducing the scene than anything else I ever saw.

HOUSEWORK.

In the pioneer days all the clothing was cut and made at home, much of it from cloth that was spun thread; all the soap and candles were home made, the latter being moulded or dipped from tallow prepared on the place. All this was done by the women in addition to the usual housework on a farm; and as in all ages “woman’s work is never done” much of it was done at night by the light of a brush fire and a tallow candle. These candles gave a soft light, pleasant to the eyes.

WATER.

The scarcity of water was the most serious difficulty the pioneers had to encounter. The only water courses within available distance were Noxubee and Wahalak creeks. Many wells were sunk, but only a few outlasted the wet season. Stock was driven to one of the creeks every few days in summer. Every week or two the family washing was carried there. Rainwater was caught and treasured. Not a drop of clean water was ever thrown on the ground. Water was never plentiful, not even sufficient until the settlers began to dig cisterns in the late ’30’s. I often wonder now how we managed to get along with so little water.

TRADE.

Gainsville was our nearest market, or rather it was the medium of trade between that section and Mobile. Cotton was hauled to Gainesville and shipped. Sometimes several farmers united and shipped their cotton down the Noxubee on a raft, necessarily a slow voyage but safe. Country merchants and farmers bought their supplies in Mobile, shipped them to Gainesville and hauled them out. This state of things continued until the Mobile and Ohio railroad was built. For a few years there was much hard work and many privations, but

these early settlers were equal to every emergency, and as fruitful in resources as if they had always lived in the woods. Although contented in the present they had high aspirations for the future and worked steadily and hopefully for the fulfillment of those aspirations. But let no one suppose there was no enjoyment. The novelty of the whole situation gave to it a zest which made discomforts a mere joke. The happiness of our pioneers had its spring in the heart and they could afford to laugh at untoward circumstances.

AMUSEMENTS.

Social enjoyments, the legal holidays, Christmas and the fourth of July were duly and extravagantly observed. The ladies visited in the old time way, "took their knitting and spent the day" or gathered together at "quiltings," combining work with pleasure. They also carried an assortment of children, and to *us* these were never-to-be-forgotten days. No restraints were laid on our sports, except the injunction to "keep out of mischief." Our dress was no hindrance and we had a royal time, with "all out of doors" for a playground.

Deer, turkeys, squirrels, rabbits, opossums, partridges, black-birds, &c., &c., were abundant. The hunting and trapping of these gave healthful recreation to the men and boys, and amply supplied the table with the delicacies of the forest. A ride on horseback through the deep, green woods or the tall grass of the prairie was delirious pleasure to both girls and boys. To this day the sound of the hunter's horn, the deep baying of his dogs and their regular yelps on the trail, stirs my blood more quickly than a brass band; and the musical rhythm of the cross-cut saw, the hum of the spinning wheel, the regular click, clack of the loom, are all remembered music to me yet. Not that I would turn the wheel of progress one revolution backward, or that I fail to appreciate the vast progress since then, but these old memories will sing to my heart of the days of happy childhood, and the more persistently as the years pass by.

FRUITS.

Wild fruits, as grapes, plums, strawberries,, blackberries, haws, both black and red, hickory nuts and walnuts could be had for the gathering, and they gave us a standing excuse for a

ramble in the woods. In one place, bordering on a "wet weather branch," we found what we called "white blackberries." The berry was exactly like the common blackberry except it was white with a slightly bluish tinge. The foliage of the bush was perhaps a little more delicate than that of the black species. It was certainly indigenous for no one but the Indians, had preceded us. The stream was soon "cleared up" and these berries were lost. The first orchard in our section was planted by Mr. Sam. Boughton, who came from Conecuh county, Ala., in 1836. He shipped trees and vines a year in advance and brought a large assortment with him. It proved to be a good fruit country.

THE INDIANS.

Just here I will say that dotted about over this section were spaces of open land, an acre or less in extent, on each of which was to be found what appeared to be the remains of a burnt cabin. As the Indians had been so recently removed, the settlers naturally supposed these places to be the remains of Indian settlements. The negroes heard this talked about, and having got an inkling of the fact that the Indians left the country rather unwillingly, their superstitious nature was aroused. They often came from work with wonderful reports of the distressing sounds they heard proceeding from those places either in the field or near by. It was "de goeses of dem Injuns moun-in fur dey homes." It is safe to say, if labor had been free then, those fields would never have been cultivated by the negroes. Although the Indians were not citizens they constituted an element in our pioneer life that cannot be ignored with strict justice. It is a well known fact that a remnant of the Choctaws refused to go West. They retired from that immediate section, however, and went, I think, into Neshoba county. They came into the settlement every fall, camped, and picked cotton for the farmers. At other seasons they brought venison, baskets, bows and arrows, blow-guns and arrows for sale. They were so harmless that we lost all fears of their race and welcomed each return as a pleasurable excitement.

SNAKES.

But we were kept in a state of constant dread of the snakes that thronged the woods. They had preëmpted this whole sec-

tion long in advance of the white settlers, and it was necessary to keep a sharp lookout for them at all times and in all places; for, as an old darkey put it, "dem snakes is jes as sly as Injuns; dat time yo ain studin' 'bout um dey pop yo' shore." Doubtless it was owing to this constant vigilance that so few people were bitten.

LAND SALES.

I pass over the land sales which came on during this early period, not only because it is a matter of recorded history, but because I remember but little about it, except that it was a time of great excitement and anxiety to all, old and young.

CHURCHES.

The farmers in our immediate neighborhood were Presbyterians in faith, and they built a house in accordance with the times and circumstances. A log cabin open to the roof, dirt floor, benches of split logs, pulpit of clapboards, perched halfway up the end wall, stick and dirt chimney, two doors with board shutters, and for windows, cracks between the logs. But the gospel was preached there by Rev. James Carothers to an attentive audience of grown people, and a Sunday school was taught. For literature we used the *Question Books* issued at that time by the Presbyterian Publishing House. To our undeveloped minds the lessons were as hard to master as grubbing roots would have been to our physical strength. Hence it goes without saying that we acquired very little "book knowledge," but from the constant attendance at a place of worship, and the association with those who gathered there, we *imbibed* much that was good,—a deep seated reverence for God, an earnest respect for all the appointments of worship, a love for the day set apart for that worship, and for complete rest—and all this was a saving ballast in the storms of subsequent life. What an inestimable blessing to any community is a Sunday school! What a healthful tonic to its moral life!

In the adjoining neighborhood the Baptists prevailed, and they built a house near Wahalak creek, the exact counterpart of the Presbyterian house except it had a floor. Their first pastor was Rev. Wm. Calloway. Of sermons I was no judge, but I know that both of these pastors were highly esteemed by

their respective congregations. One incident that occurred at this Baptist church in the summer of 1834 is worth recording. It was a beautiful day; a large congregation, both white and black had assembled. An eclipse of the sun was due, and in the middle of the services it began to grow dark. The preacher sat down to wait until the eclipse was over. Several persons went to the creek to observe it in the water. I had no permission to move, but as I sat near a large crack I gave my attention to what was going on among the negroes. The scene was indescribable. The negroes were in every conceivable posture of supplication, wringing their hands and clothing, weeping, praying, confessing their sins, and wailing in the most piteous accents. One old "Auntie," however, was going to and fro, laughing and jeering at the rest. I was bewildered. The next day I interviewed her to know what it all meant. "Wy dem foolish niggers scared it was de judgment, and dey drap down an' 'gun to 'fess an' pray jes lak de Lawd ain been knowin' um all de time. Well, *dey need to fess*, but it's too late when judgment 'gin to cum." Why so? "Wy, doan de Book say dat time gwine to cum *swif es lightnin'*?" I didn't know. "Well, I been hear um read it dat 'er way, anyhow, an' doan you know it's too late to dodge wen de litenen' come?" I didn't know *that* either, so I always dodged lightning. "Well yo' ne'enter, kase 'fore you kin dodge de litenin' dun dun all it's gwine ter. An' wen judgment come it too late to 'fess an pray ef you aint dun it afore. I tel dem niggers dat but dey doan listen to me." Years afterwards when Millerism¹ was rife and many people were almost crazed with fear, she couldn't be moved. "Sho! wha I gwine be skeered fur? Ain' I been hear um read outen de Book of *dat day an' dat hour know no man*? Hoccum dat man know it? He *shoreley* mus' not read de Book;—ef he do he don' *sese* it."

This is a good deal to say about one old auntie, but she was truly a pioneer and did good pioneer work.

SCHOOLS.

The first school in 1834 was taught by Wm. Jones, a young farmer from Alabama. The school house was one of the rud-

¹ William Miller taught that "the end of the world and the second coming of Christ was at hand."—EDITOR.

est of rude cabins; dirt floor with not even all the "grubs" taken up, split log, backless benches, open to the roof. Across one side and one end holes were bored into the logs, long pegs driven into them, and planks laid across for a writing desk. The crack above it was widened to give us light. We used the text books of the times, Murray's *Grammar*, *The Federal Calculator*, &c., &c. Our progress was necessarily slow, but the little we acquired was thorough and it was a lifetime possession. Our teacher was faithful, patient and not overexact. The noon recess—two full hours—we called "playtime" and we filled it with hearty, healthy play. The nearest settler to this school was Mr. Madden, the only blacksmith in the community. He chanced to have a well and he generously permitted us to get water there when the branch dried up. As I now look back to those days and consider the circumstances, this seems to me the kindest of all kind deeds with which I was conversant in that neighborhood. The well was merely a deep hole in the ground, no curbing, closed by rails across the mouth laid on the ground; no windlass, just a tin bucket with a rope tied to the bail. To get the water, a few rails must be put aside, the bucket sent down with a plunge, then pulled up by main strength hand over hand. The girls—not one of us over twelve years—were not expected to go near the well; but we did, and I sometimes shudder now as I think of the danger we were in of following the bucket. These people were Irish and we little girls were very much amused at their brogue, but we didn't dare to show it in Mrs. Madden's presence. We wanted her water, and we wanted her "tan kattle" as she pronounced it to draw with, and we were afraid of her dog. "Watch" was an ever present menace, and he seemed to be just waiting for his mistress' "sick" to take hold of us, so however rude we were elsewhere, in Mrs. Madden's presence we were as polite as a book agent.

The next school was taught about 1835 or '6 by Rev. Jas. Carothers. The Presbyterians had moved their church nearer to his residence and put a floor in it and there he preached and taught. There was very little change in school furniture, text books, or methods of teaching. In his school and in his home life he was uniformly courteous and pleasant. He was a Christian gentleman in the widest acceptance of the term. During

one session I was a "week boarder" in his home, and his gentle kindness to me, then a very frail little girl, has been a pleasant memory through all subsequent life. These two men were the only strictly pioneer teachers; they laid a good foundation in the rudiments of knowledge despite their meager equipments.

MERCHANTS AND PHYSICIANS.

There was only one store in all that neighborhood. The proprietors, Eli and Edgar Loomis, were from the North. Associated with them was Alfred Everett either as clerk or as partner. The only physician in '34 was Dr. Jake Brown, who had his office in that store. About 1835 Dr. John McIntosh came into the neighborhood on a farm. In 1836 came Dr. James Baird, a young physician from North Carolina. Both of these practiced there many years, but Dr. Brown soon went into the lower part of Kemper.

TAVERNS.

The only house of entertainment was kept by Victor Welsh, who settled there in the latter part of 1832 or January, 1833. The constant travelling of "land hunters" made this a profitable business. It was also the only boarding house for the merchants nearby. For many years men bringing large droves of mules and hogs came every fall from Kentucky and Tennessee and put up at this house until they had sold out. The wagons that came with these droves brought quantities of dried fruit, spun thread and jeans, which found a ready sale. These droves and the wagons were annually expected and largely depended upon for many years.

WAHALAK.

The country soon began, however, to change its pioneer aspect. Many people of culture and refinement, some of them very wealthy, had settled in this section of Kemper. In 1837 Victor Welsh laid out into town lots a few acres of land around his own house and the Loomis Brothers' store. These sold readily. It was a hilly locality, beautiful for situation, pleasant and healthful. The town grew rapidly in all that goes to make up a desirable place. It was named Wahalak. The Loomis Brothers soon moved to Brooklyn on the Noxubee. The Presbyterians and Baptists moved their churches into Wahalak and built commodious houses. The first school within

its limits was a mixed school taught by Lewis R. Barnes, from Georgia. He admirably sustained the reputation which he brought with him of being a thorough teacher and a good disciplinarian. Unruly boys were sent to him from all parts of the country to be tamed, and he never failed to get them well in hand. He was kind in disposition, courteous in manner,—a manly man in his intercourse with others, and untiring in his work. He was assisted at different times by Revs. Sterling, Jenkins, Wm. Farrar, and Mr. ——— Chivers.

About this time there was much discussion as to the feasibility of navigating the Noxubee. Finally a steamboat, the "Little Jim" was sent up to Macon on a trial trip. The neighborhood was notified of its expected arrival at Wahalak landing and there was a large turnout to meet it. Mr. Barnes closed school for an hour or more and led the procession to the landing. It was an insignificant looking stern wheeler with a keen, shrill whistle. The visit might have passed out of our remembrance but for this whistle. When it sounded the crowd of sightseers, old and young, white and black, turned and ran until we were stopped by the loud derisive laughter of the boat crew. Mr. Barnes led us back to school in disgust. When we compared notes, nobody was afraid, but everybody ran because everybody else did. That was the last attempt to navigate the Noxubee; until after the War another unsuccessful attempt was made.

In 1838 the citizens deeming it advisable to establish a female school, built a suitable house and elected trustees, who employed Miss Ann Hazard, of Tuscaloosa, Ala., to take charge of the school. The result proved the wisdom of their action. She came among us as a stranger, but soon won the confidence of her patrons. She was an earnest Christian woman, and proved to be a valuable social acquisition. This school and the male school lived through the most flourishing period of the town, and from experience I can say that the teachers of both deserved the high reputation they gained, and they still live in the hearts and lives of their pupils scattered over many of the Southern states.

There were three churches in the town, a Baptist, two Presbyterian, an old and a new school respectively.

Two physicians, Dr. John McIntosh and Dr. James M. Baird,

represented, very ably, the medical fraternity for many years. Later Dr. Harris came in as Dr. McIntosh moved away.

Of the several merchants, I recall now the names of Barnes and Sanders, John T. and Wm. Mosely. John Malone was perhaps associated with one of these firms. James McCalebb had a store and a blacksmith and wood shop. There were others, but their names do not occur to me now.

At one time the old town had a bank, incorporated under the name of "The Real Estate and Banking Company." Judge John Hardeman was president and Mr. John T. Moseley cashier. It was in operation but a short time. I have recently had the pleasure of meeting one of my old schoolmates of the Barnes school, Mr. Wm. Boughton, now of Jasper county, Mississippi. In recalling many reminiscences of old Wahalak, I chanced to remark upon the short life of the bank. "Yes," he replied, "but it did not fail nor break, but closed up business with a perfectly honorable record. The stockholders fully met every claim, if they lost anything it was never known."

To the credit of the citizens, be it known that there never was a grogshop in Wahalak. The "abomination of desolation" that is now sapping our national life never camped within the limits of the town, neither nearby. The healthy moral sentiment of the community forbade it.

The town early became a great educational center; the seat of a Christian culture and refinement unsurpassed by any community in the State or any other State. The high standard of moral rectitude, the reverential respect for Christianity, the neighborly kindness, the open handed hospitality, the public spirit that characterized the pioneers were also prominent traits of their successors in the town and surrounding country. This natural refinement enhanced by a liberal culture made the social life of Wahalak all that was desirable.

It is hard to say what caused the death of the old town. It declined steadily after Mr. Barnes and Miss Hazard, two of its most prominent teachers left; but perhaps the pupils of educable age in the community caused them to leave. The building of the Mobile and Ohio railroad had a perceptible effect upon it. It lived on, however, through the war between the States. It is now dead except in the memories of its former citizens. Its name has been given to a station a few miles west of it on the Mobile and Ohio railroad.

POLITICAL AND PARLIAMENTARY ORATORS AND ORATORY OF MISSISSIPPI.

BY DUNBAR ROWLAND.¹

The story of the fame and eloquence of the orators of Mississippi rests largely on ephemeral tradition kept alive by word of mouth from father to son. If the oratory of the State can be rescued from the condition of oblivion into which it has fallen, if a record can be made of the feelings, thoughts and deeds of the men who should have a place in a temple dedicated to Mississippi orators and oratory, then indeed shall we be able to remove the impression that we are failing to transmit to succeeding generations a knowledge of the greatness of our commonwealth. There are incidents in the lives of all great men that should be remembered, their words should be treasured, the part they played in the state life of their time should be preserved on lasting parchment to animate the hearts of those who come after, with love and admiration for great deeds done, for living words spoken, for lofty thoughts struck from strong minds. There is a state pride that always elevates the greatness of favorite sons. It is desirable to carefully weigh the exaggerations of tradition and the partiality of friends in order that true estimates may be made of Mississippi orators, that they may occupy the place which impartial history would assign them.

MISSISSIPPI ORATORS FROM 1817 TO 1840.

I. George Poindexter.

The first Mississippian to attract the attention of the nation by his ability and power as an orator was George Poindexter. He was the most versatile man of his day, and his talents were displayed in all the departments of the public service. As Governor, Justice of the Supreme Court, Congressman and Sena-

¹ A biographical sketch of the author of this monograph will be found in the *Publications of the Mississippi Historical Society*, Vol. III., p. 85, footnote.—EDITOR.

tor he gave evidence of rare executive ability, deep learning and brilliant oratory.

In order that a proper estimate may be made of the powers of an orator a careful study of the physical properties, disposition, and mental and physical temperament should be made. What is his fund of knowledge? Are his methods of thinking close and accurate? Has he grace of person and delivery? Is he earnest and enthusiastic? Has he magnetism and drawing power? Is his voice strong and melodious? Is he confident and faithful in his principles? If all those great qualities are combined in him then indeed is he a great orator, if he has only a few of them he may still be great in special lines of oratory.

A study of Senator Poindexter, of his traits, appearances, ideas and methods of oratory will reveal something of the manly, sturdy pioneer state-makers and nation-builders of the early history of Mississippi.

There is a proneness on the part of the people of an old country and of the centers of population to look with mild toleration on the citizens of a new country as inferior in culture and intelligence to themselves. The feeling grows out of a provincialism that is as old as recorded history. The ancient Jews looked upon the Gentile with pity, if not contempt. The classic Greeks disdained all other peoples as barbarous. The Romans held that not to be a Roman was to be a dog. The people of New England for years regarded Mississippi as a State made up of communities of rough, ignorant, uncultured ruralists. Rural communities are the gardens for the cultivation of all forms of greatness. Such great leaders of armies as Washington, Lee and Jackson, such statesmen as Jefferson, Madison and Lincoln, such judges as Marshall and Taney were brought up on the farms of the South. Mississippi is the most intensely agricultural state in the Union, and it has been a fertile field for the growth of eloquence.

Senator Poindexter has been pictured by a Mississippi historian as the meanest man who was prominent in the early history of the State; there is no doubt that he was the intellectual if not the moral leader of that time. He lived during a period when bitter partisan, political feeling was indifferent alike to the rules of courtesy and fair dealing, and much of the slander and infamy heaped upon him was the work of his personal and

political enemies. It is not safe to rely upon estimates and opinions that are guided by prejudice and prompted by malice. The mantle of charity is thrown over his faults. Time has tempered the harshness of the judgment upon him. He was a great Senator and orator at a time when greatness was the rule and not the exception in the Senate of the United States. We are looking at him only from an oratorical point of view.

The speeches of Senator Poindexter cannot be read without feeling that they were made by a master. The order is perfect, and the logical sequence of the parts are only excelled by the lofty tone and unity of the whole. Enlarged statesmanlike views are thrown out in language that is terse, chaste and majestic. His words are never overdrawn or too subtle for plain, practical men. He was endowed with an intellect pellucid and brilliant, with mental vigor and intellectual grasp. There are certain proprieties of elocution that every public speaker must observe, such as manner, voice, cadence and outward appearance.

Carlyle's celebrated description of Webster may be aptly applied to Senator Poindexter: "The tanned complexion, the amorphous crag-like face; the dull black eyes under their precipice of brows, like dull anthracite furnaces needing only to be blown, the mastiff mouth accurately closed." There was a dignity and distinction in his bearing that made him a marked man wherever he went.

A speech must have in it something more than eloquent sentences, it must have vital truth and principles running like a thread through it.

There are two schools of opinion as to how eloquence is acquired. One contends that the powers of the orator are acquired by art, and should be methodical and persuasive. The other that oratory is a natural gift and moves the passions of men by storm without particular rules. Natural powers cultivated and developed by study, preparation and practice combine to make the great orator.

The father of Senator Poindexter was an eloquent Baptist minister of Virginia and the oratorical powers of the father were inherited by the son. To that rich inheritance he added all the arts and graces of oratory that may be gained by learn-

ing, discipline and culture. Great faculties can only be developed by being put into practice. Senator Poindexter was a deep student of polemics, politics, history, literature and poetry. "Learning waited upon him like a handmaiden, presenting to his choice all that antiquity had culled or invented." He was a great parliamentary orator. He was at his best before the Senate. Before such an audience he brought to bear on every subject he touched his great knowledge, his profound reason, his splendid style.

The development of Senator Poindexter in Mississippi was phenomenal. It resembled somewhat the radiant rise of Sheridan, the brilliant Irishman who quit play writing for a seat in the House of Commons and, according to the verdict of Fox and Burke, delivered the greatest speech in the English language.

Failing to find in Virginia that immediate success that his restless and impatient ambition demanded he turned his steps to the new territory of Mississippi, and was made its attorney general during the first year of his residence. As the prosecutor of Aaron Burr he gained the attention and applause of the triumphant Democracy of Jefferson, and his opinion in the case afterwards guided the great Chief Justice Marshall in the celebrated trial of Burr at Richmond.

He entered Congress in 1807 as territorial delegate from Mississippi, and at once became prominent by his reply to the disunion speech of Josiah Quincy of Massachusetts. In that speech appears an intense devotion to the Union, and a remarkable foresight into its future destiny. The great questions of Federal powers and States' rights were discussed with rare knowledge and ability. The member from Massachusetts advocated disunion, the member from Mississippi pleaded for the preservation of the Union.

The greatest effort made by Mr. Poindexter in the House was his famous speech in defense of General Jackson's conduct during the Seminole War. The defense was so able and so conclusive that it resulted in the complete vindication of "Old Hickory," and gave the speaker a position as one of the leading orators of the country. The reputation made in the lower House advanced him to the Senate. When he took his seat he found such men as Clay, Calhoun, Webster, Cass, King and

Berrien among the leaders of the nation, men of power, knowledge and eloquence.

There are few men who had such natural advantages combined with so many other qualities necessary for genuine eloquence as Senator Poindexter. His bearing was manly and dignified, his face open, broad and strong, his voice clear, melodious and penetrating, his entire makeup might be termed oratorical. He had the rare combination of judgment and imagination, each dominated his mind, neither was allowed to gain the mastery to the complete exclusion of the other.

The speeches of Senator Poindexter show that his diction was full of force, purity, power and elegance. There is little of wit or light fancy in them, but that lightness that sometimes serves for ornament is more than compensated for by the brilliant blaze of logic and declamation. His premises are always broad and fairly laid down, his deductions are without fault, his conclusions are irresistible. As a close logical reasoner Senator Poindexter has few superiors in the annals of American eloquence.

II. Sargeant S. Prentiss.

In his delightful sketches of *Flush Times in Alabama and Mississippi*, Baldwin says that Prentiss was to Mississippi in her youth what Jenny Lind was to the musical world, or what Charles Fox, whom he resembled in many ways, was to the Whig party in his day. The brilliant young man from far off Maine was the idol of the young manhood of his adopted State.

To succeed the orator must inspire confidence by the exercise of truth, judgment and justice. To excite in other minds a belief in what he asserts, his own faith must be perfect. To excite passions and emotions, he must feel them stir his own bosom. It is then and only then that he can lift ordinary natures out of themselves, infusing new life, kindling new hopes, and awakening passions unfelt before. When we look into the face of a Prentiss, lit up and bright as was that of Moses on Mt. Sinai, inspired by a torrent of great ideas, and borne away by irresistible passions, and witness the influence of such a man upon a vast audience we can but feel that there is a brain-wave, an electric current in the moral as in the physical world, proceed-

ing from heaven's battery through the medium of the orator for the conducting of virtue, truth and justice from the skies.

There now lies before us the picture of Mr. Prentiss as painted by the words of a friend now living who knew him as he was at the height of his fame and power. He was low of stature, and had a slight impediment in his walk from a deformed leg. The upper part of his body was strong and beautifully proportioned. His head was large and well formed, his eyes were dark with the dreamy melancholy fire of poetry and passion, his mouth smiling but firm, his brow massive and thoughtful, his smooth shaven face was like a cameo in its clear cut, strong lines. His personal appearance increased the fervor and brilliance of his eloquence. He flashed across the field of oratory like a fiery meteor, yet the light he gave forth was as sure and steady as that of the sun. It was said on all sides that the young man from the frozen North had introduced a new style of oratory, that it was difficult to tell in what his power consisted. The true secret of the success of his oratory was its originality. His was an originality that could only be directed by genius. He had the superb confidence that enthusiasm always gives.

He was mighty in his enthusiasms, one of the elements necessary to leadership. He had a magnificent courage that commanded the admiration of the people. With his courage, enthusiasm and magnetism was combined a beautiful poetic nature not exceeded by any great orator of the world. There was beauty and poetry to him in every phase of nature. He was familiar with every trait of the human heart. To speak in beautiful pictures was as natural to him as it is for the birds to welcome the coming of the sun with song. His voice was sweet, mellow and rich in its tones, there was melody and music in it that responded to each varying emotion, at times it was like the soft music of the mocking bird, again it was like the shrill, triumphant cry of the eagle. In his speeches every noble feeling, every sympathy was appealed to and aroused at will. Enthusiasm, laughter and tears came at his bidding.

The diction of Mr. Prentiss was marvelous. His imagination was as gorgeous and luxuriant as the famous hanging gardens of Babylon. He spoke not only with lips and tongue, but his eyes, hands and every feature of his body was eloquent. Some-

times his speech was as sweet as the harp of Orpheus, again it was as terrible as the mighty thunders of Jove. His brain and soul gave forth perfect music. He had all the elements that go to make up the popular hero, orator and idol. His superb social qualities could be adapted to any circle at will. He was equally at ease with prince or peasant. Add to his social qualities generosity, bravery, chivalry, prodigality, and a wonderful flow of humor and animal spirits and it can be readily seen why he has been called the Prince Hal of his time.

The training and preparation of Mr. Prentiss was varied and profound. He was a close student of the ancient and modern classics, and of the inspired writings. The eulogy on Lafayette that we so often hear nowadays spoken from University rostrums was the first oratorical effort made by Mr. Prentiss in Mississippi. He was then a poor Yankee boy. Even then that speech, taken as a whole, has the qualities that are common to all his efforts.

Mr. Prentiss was gifted with a remarkable memory, he had a faculty for gathering information of all kinds and retaining it. He could repeat pages of Shakespeare, and give from memory beautiful descriptive portions of Scott's novels. Tradition has given remarkable instances of the power and influence of the oratory of Mr. Prentiss. He was equally able before a jury, in the Supreme Court, on the hustlings or in legislative halls. One of his most celebrated speeches was made in the case of the State *vs.* Bird, in which Mr. Prentiss prosecuted and Henry S. Foote defended. He represented the prosecution in the case of the State *vs.* Phelps. The defendant was a notorious highwayman and murderer. It is said that the invective of Mr. Prentiss was so terrible that the hardened criminal broke down before its soul-searching power and confessed his guilt while the speech was in progress. The defense of Wilkinson by Mr. Prentiss at Harrodsburg, Kentucky, marks the zenith of his fame, his effort in that case is one of the greatest speeches ever made before a jury in this country.

The great speech upon which the fame of Mr. Prentiss as a parliamentary orator of the first rank rests is his eloquent appeal made to the national House of Representatives in the contested election case of Claiborne and Gholson *vs.* Prentiss and Word. That effort won the enthusiastic praise of such masters

of oratory as Daniel Webster, Henry Clay and John C. Calhoun, and gave Mr. Prentiss a national reputation. Although that speech has been spoken by school boys from high school rostrums for fifty years it has retained its freshness and vigor, and its inspiring words never fail to stir the soul, and awaken the best impulses of the heart.

Mr. Prentiss was greatest as a popular orator, the poetry, passion and enthusiasm of his nature made him a master of human emotions, his personal magnetism made the people love him, and his noblest efforts were made to great assemblies of the people under the forest trees of Mississippi.

The last effort of the expiring genius of Mr. Prentiss was made in defense of Lopez, who was charged with undertaking a warlike expedition against Cuba. A remarkable feature of his oratory was that it never wearied the hearer. From a careful study of his speeches there comes the irresistible conclusion that few orators have surpassed him in fluency of speech, in earnestness of manner, in grace of delivery and range of thought.

It is not too great praise to say that he was one of the really great orators of this country. The speeches of Mr. Prentiss cover a wide range of subjects—legal, political, parliamentary, educational and other. One of his greatest powers was his impressive demeanor, it was simple and unaffected, free from the pose that is so common where mediocrity seeks to hide itself behind pompous affectation. Every thing that he said bore the mark of earnestness. His style in the delivery of his speeches was impressively deliberate, but he would often indulge in passionate outbursts in which his words flowed from him like some mighty torrent. Behind mere form, gesture, tone and look there was knowledge. Beauty and strength were harmoniously combined. Law, history, poetry, literature and science alike contributed their stores to his ready mind.

An exquisite voice tradition says was one of the great oratorical qualifications of Mr. Prentiss. He had such a voice as Julian McCarthy attributes to Mr. Gladstone, "one that would make commonplace seem interesting and lend fascination to dullness." It is wonderful how words may be reinforced by energy of action, and flash of eye, how the sweet melody of a tone can charm even a dull platitude into something moving

and beautiful. No man had a more vehement love for the good and the true, for the grand and the beautiful than S. S. Prentiss. Under the stains of blemishes that appeared in the fine grain of his character was that noble sympathy for high and pure things combined with a true heart.

III. Robert J. Walker.

The fame of Robert J. Walker has perhaps been covered with unjust reproach by those who regarded him as an ungrateful deserter of his people in their hour of need. It is the province of impartial criticism to temper the harshness of such a judgment, and to clear away the bitterness of the past. However much opinions may differ about the character of Robert J. Walker, there is but one opinion as to his genius and ability. It is conceded that he was a leader of men at a time when greatness was the common characteristic of American statesmen. He came to Mississippi when it was a garden for the cultivation of talent, and brilliant young men from the older States became its citizens and seekers for honor, fame and wealth.

When Robert J. Walker came to Mississippi he was twenty-five years old, poor, friendless and unknown. Before the expiration of ten years time he sat by the side of Clay, Calhoun and Webster as United States Senator from Mississippi. He became a senator at thirty-five, and in order to attain that somewhat remarkable distinction at such an age, it was necessary to wreck the political fortunes of Senator Poindexter. It was one of the political marvels of the time, that such a man should be forever retired to the walks of private life at the very time when his superb abilities were at their best by a young, untried man who was burdened by all the ill-will that sectional prejudice and party calumny and animosity could bring forth.

At the time when Senator Walker took his seat in the senate, Martin Van Buren, the most adroit and skillful politician of his time was President; the Democratic party was at the height of its power and prestige, and was dominated and controlled by its Southern leaders. John C. Calhoun was the autocrat of the Senate, Henry A. Wise was the leader of the House. It was a time of intense sectional rivalry between the free and slave States, every public question was viewed with distrust by one side or the other as only a move to obtain some sectional advantage. Every Southern Senator and Congressman was filled

with an intense partisan loyalty to his section and that feeling prompted every public act and controlled every contest.

The defeat of Senator Poindexter by Senator Walker had attracted the attention of Senators before he reached the capital, and added much to the prestige of the new member from Mississippi. Early in his senatorial career he antagonized John C. Calhoun in his views on States-rights, and as a result incurred the displeasure of the great leader of the Southern wing of the Democratic party. Senator Walker soon gained quite a reputation as a powerful parliamentary debater, practical politician and party organizer among his associates in the Senate. In the discharge of his senatorial duties he was tactful, industrious and persevering. His knowledge of the political affairs of government was intimate and profound. His speeches on all public questions were clear, forcible and convincing.

During the administration of President Van Buren the annexation of Texas came to the front for the first time as a political issue. The annexation policy had the support of the united South without regard to party, but the Northern Democrats were inclined to oppose it, and the President, though always a trimmer, was also in opposition. Mr. Van Buren was defeated for a second term by William H. Harrison. The death of the President soon after his inauguration prevented the Whigs from gaining any political advantage from their hard-earned victory. John Tyler, the Vice-President, was a Virginian and a Democrat. Senator Walker was now recognized as the most resourceful leader of the party politics in the country. He was the acknowledged parliamentary leader of the Democratic party in the Senate in the contest for the annexation of Texas. His speeches on that subject show full knowledge of the great benefits to arise from annexation and are models of sound reasoning and convincing logic.

The Democratic convention of 1844 met in the city of Baltimore for the purpose of nominating candidates for President and Vice-President. Martin Van Buren, Lewis Cass and John Tyler were the leading candidates for President. It was believed that Mr. Van Buren had the support of a majority of the delegates, but he was very unpopular in the South, and his leadership was feared by Southern men.

The annexation of Texas was the great issue upon which the campaign was to be fought, and Van Buren was known to be hostile to annexation. Senator Walker had been the leader in the battle for annexation in the Senate. James K. Polk as Speaker of the House had been its leading champion in that body. In order to defeat the nomination of Mr. Van Buren on the first ballot, it was necessary to secure a change in the method of making nominations. This was done, at the instance of Senator Walker, by the national executive committee reporting a rule to the convention requiring a two-thirds majority to nominate. The Van Buren men would not turn down the action of the committee and the defeat of their candidate was the result. After a long drawn out contest the nomination was given to James K. Polk, of Tennessee, and Senator Walker was found on the winning side in the end. In fact he was credited with having secured the nomination of Mr. Polk.

Henry Clay, the idol of the Whig party, in the face of overwhelming defeat, was again the candidate of his party for the Presidency, and as had been anticipated, the leading issue of the campaign was the annexation of Texas with the Whigs in opposition and the Democrats favoring it. The campaign was one of the most remarkable political contests that ever took place between rival political parties. Henry Clay took the stump and fired the popular heart by his matchless magnetism and oratory. The election resulted in the complete triumph of the Democratic party.

At the time of President Polk's inauguration Senator Walker was serving his second term in the Senate, having been re-elected by the Legislature in 1841. The new President appointed the ablest leaders of his party members of his cabinet. James Buchanan, of Pennsylvania, was made Secretary of State; Robert J. Walker, of Mississippi, Secretary of the Treasury; William L. Marcy, of New York, Secretary of War; George Bancroft, of Massachusetts, Secretary of the Navy; John Y. Mason, of Virginia, Attorney General, and Cave Johnson, of Tennessee, Postmaster General.

Senator Walker had no physical advantage to add to and aid the effect of his oratory. He was small and unattractive in personal appearance, but he had many of the external signs of

greatness. He was weak in those qualities that enhance the immediate effect of a speech, he was strong in those powers that give it permanent value. His chief power as an orator and debater was in refutation and exposition. He was deficient in poetic, passionate and imaginative elements. Goldsmith says that Burke would wind into a subject like a serpent. The methods of Senator Walker were similar. There is in the greatest of his speeches something of the mathematical closeness and deep argumentation of Hobbs, the philosophic serenity of Locke combined with the deep earnestness and fervor of Bunyan. He was a deep thinker rather than a rhetorician, his manner was argumentative rather than oratorical. The even flow of his logic was convincing to the mind, and as irresistible as the charge of a Roman legion.

IV. Guion, Holt, Plummer.

The early days of the State produced other popular orators who never entered public life, some of them preferred to devote their talents entirely to the law, others were members of the minority party.

John I. Guion was a famous lawyer in his day, he was as versatile as Crichton, and as courteous as Chesterfield. He met Prentiss and Foote at the bar and was their equal. Judge Guion was a scholarly man of great natural powers that had been disciplined and polished by study, observation and meditation.

Joseph Holt was another great lawyer and orator who made himself famous in Mississippi for eloquence. He was deeply versed in the best classic models, and was a master of strong, simple, polished English.

Franklin E. Plummer was a queer combination of orator, mountebank, and political quack. He was thrown to the surface by the financial distress of the 30's, and with his cry of "Plummer for the people and the people for Plummer" gained a brief popularity. He was a masterly mixer, hand shaker and back slapper and for a time was the most popular public man in the State.

MISSISSIPPI ORATORS FROM 1840 TO 1865.

V. Henry S. Foote.

The great gladiator of popular oratory in Mississippi in the 40's and early 50's was Henry S. Foote. He was a Virginian and a university man deeply acquainted with law, literature, history, poetry and philosophy, he was a master of almost universal erudition. He was gifted with that grand energy of heart that makes up the enthusiast and leader of men. Taine the great Frenchman who gave to England the best work on her literature writes of William Pitt as follows:

"When the elder Pitt first filled the House with his vibrating voice, he already possessed his indomitable audacity. A proud haughtiness, only surpassed by that of his son, an arrogance which reduced his companions to the rank of subalterns, an ambition which brought into parliament the vehemence and declamation of the stage, the brilliancy of fitful inspiration, the boldness of poetic imagery. Such were the sources of his power."

A study of the career of Senator Foote reveals many like traits and methods. His oratorical powers drew him into political discussions long before his entry into public life. In the Clay-Polk Presidential campaign of 1844 he made a brilliant canvass of the State as Democratic elector for the State at large. Jefferson Davis was district elector, and the close joint canvass of Foote and Davis carried the State for Polk.

Henry S. Foote, Alexander G. McNutt and William M. Gwin were candidates for United States Senator in 1847. McNutt at the time was the mighty Ajax of stump oratory and challenged Foote to meet him in a joint canvass. The challenge was accepted. In physical makeup Senator Foote was below the middle size, but his figure was vigorous and durable, his head was large and well formed, his eyes were bright and piercing, his manner was all his own, it was aggressive, earnest and courteous. Governor McNutt was a man of superb physical development, like Torquil of the Oak he towered above his fellows, he was picturesque with his long flowing hair, his eyes blazed, his voice thundered.

This story is told of an incident in the canvass, and illustrates the methods of the two men. Foote could smile while his opponent was boiling with rage and passion. The incident re-

ferred to is said to have occurred at Livingston in Madison county. Senator Foote made the opening speech and was personally severe in his criticisms of his opponent, who was a very impetuous brave man. In his reply Governor McNutt lost control of himself and proclaimed aloud that he could whip the honorable gentleman then and there. Senator Foote smilingly told the people in his rejoinder that his father once owned a bull that could whip any other bull in the county, but, said he, "my father's bull could not legislate." Senator Foote defeated his opponents, and was elected to the Senate by the Legislature.

When he took his seat Thoms H. Benton was one of the parliamentary leaders of the Democratic party. Once in the heat of debate Senator Benton indulged in some wit at the expense of Senator Foote for which he was never forgiven. One day during a dull session of the Senate, Senator Foote and several of his colleagues were in the cloak room indulging in personal gossip about various members. Foote stated to his friends that it was his intention to write a very small sensational book in which Senator Benton would figure very largely. Benton was told of Foote's remark and said "tell Foote that I shall write a very large book in which he shall not figure at all." He kept his promise and his *Thirty Years in the Senate* does not mention Foote's name.

Maucaulay is credited with saying that wine was to Addison the influence which broke the spell under which his fine intellect seemed otherwise to lie imprisoned. The battlefield of joint debate before the people brought out all the brilliant features of Senator Foote's oratory. It seemed to furnish the crucible for that fusion of reason and passion that go to make up true eloquence.

Jefferson Davis and Henry S. Foote represented Mississippi in the Senate of 1850. They differed on the great question of nationality or State's rights. Their personal relations became embittered over their conflicting positions on public questions. Senator Davis was an advocate of State's rights to the point of secession. Senator Foote stood for the preservation of the Union above all things. Both were Democrats and the acknowledged leaders of the party. Democrats and Whigs divided on the great issue, the followers of Senator Davis were known as States Rights Democrats, those of Senator Foote

Union Democrats. The Davis wing of the party nominated John A. Quitman for governor, Senator Foote was given the nomination by his section of the party.

The legislature had provided for the election of delegates to a State convention selected for the purpose of placing the State on record on the question at issue. The campaign for governor and delegates was carried on at the same time, the selection of the latter was to be made in September. That election resulted in a victory for the Union wing of the party by a majority of over seven thousand votes. A joint canvass of the State by the candidates for governor was arranged. The first meeting was held at Jackson. Senator Foote was very aggressive and charged Governor Quitman with being a disunionist, he gave forth a fiery torrent of fierce eloquence and invective combined with brilliant declamation. From the beginning the canvass was charged with bitterness and fierce excitement. The personal relations of the candidates became unfriendly and dangerous, and the joint canvass was abandoned. Senator Foote continued his speeches in every county in the State, immense crowds came to hear him and went wild with enthusiasm over his eloquence. After the September election Governor Quitman withdrew from the race and Jefferson Davis was substituted to carry a defeated and dispirited party to victory. At the November election the majority of seven thousand in September was reduced to less than one thousand.

Senator Foote was master of a pitiless sarcasm which was freely and mercilessly inflicted upon his opponents. He fought with the sword of the Goth rather than the blade of the Moor. In his methods he had something of the declamatory pomp of Webster, the ponderous periods of Brougham, the terrible lightning like strokes of Mirabeau, and the light fancy of Sheridan. Force, imagination and passion were the prominent characteristics of his oratory. Some of his flights of eloquence are as sublime as the noble prayer of Ajax in the Iliad. He did not follow the Eastern school of oratory which placed form and action above thought, he was a disciple of the Attic school which subordinated manner to matter. His sentences were generally short, intelligible, clear and harmonious. He was master of a style forcible, simple and pure. He had intense dramatic power, and combined strength with simplicity. He had courage and dramatic power as rare as they were effective. He was

greatest before the people, he needed the inspiring influence of large crowds. His face was full of fire. On the stage he would have made a great Brutus or Hamlet. The play of his countenance was wonderful. Senator Foote was a student of the best forms of ancient and modern oratory, and conformed to classic models. He could move, thrill and enthuse vast multitudes of people as could no other orator of his day. His campaign of 1850 for what he believed to be the preservation of the Union was marked by unsurpassed courage, force and brilliancy.

VI. Jefferson Davis.

The 20th of January, 1861, was a memorable day in the national Senate. An expectant and eager assembly packed the Senate chamber. Every seat on the floor was occupied, every foot of standing room held a man, the galleries were overflowing. The people had come to see the most dramatic event that has ever occurred in the halls of the American Congress. Let us imagine that from a seat in the gallery we are looking down upon the Senate in session. John C. Breckenridge the classic young Kentuckian presides. A tall, scholarly, melancholy, ascetic-looking Senator rises from his seat. There is a look of determination on his pallid face, there is also evidence of deep emotion, there is something in the poise of his head, the dignity of his bearing, and the deep earnestness of his tones that tells of a spirit that is ready for the painful duty that lies before him. That man is Jefferson Davis, Senator from Mississippi, a member of the foremost rank, a soldier whose superb courage was shown at Buena Vista, a statesman, an orator and logician who is about to deliver a speech that is a personal farewell to the Senate, and the valedictory of the Southern States. Mississippi had withdrawn from the Union. The impending dissolution of a great nation was at hand. As Senator Davis begins to speak that death-like silence that falls like an oppressive pall over a crowd of people when expectation is added to intense interest was felt in the Senate. With majestic calmness and dignity unaffected by the suppressed excitement and intense feeling around him, he begins in low, deliberate tones to say farewell to his associates. With fixed and breathless attention he was followed as he proceeded to plead the cause that he believed to be, and which was, right. As the speaker continued the pathos

of the situation made strong men weep, for there was a feeling in the very air that the speech being made was the official announcement of the dissolution of the Union. That farewell speech of Jefferson Davis is full of courage, moderation, dignity and pathos, it is famous in the annals of American oratory as one of the great epoch-making speeches of the century.

Fifteen years before John Quincy Adams, after hearing the first speech made by Mr. Davis in the lower House, said, "That young man, gentlemen, is no ordinary man. He will make his mark yet mind you."

In Grattan's eulogy of Chatham he says that the great Englishman was born "to strike a blow in the world that should resound through its history." How well does that phrase fit the career of Jefferson Davis.

The Democratic State Convention of 1844 was the scene of the entrance of Mr. Davis into the State politics of Mississippi. He was at that time leading the simple, dignified life of a planter, and was a delegate to the convention from Warren county. A speech made on that occasion caused his selection as a Presidential Elector on the Polk and Dallas ticket. His first speech in Mississippi was doubtless made in the now famous discussion had with Mr. Prentiss in 1843 at Vicksburg. The incidents and terms of that debate were somewhat novel and serve well to show the love of the people for popular discussions. The debate was held on election day and was arranged so that each speaker would occupy the stand for fifteen minutes alternately throughout the day, so that the voters could hear both sides of the questions under discussion in a short time. Mr. Davis met the brilliant and fascinating oratory of Mr. Prentiss successfully in a calm, cautious, and argumentative way that won the admiration and praise of his opponent.

Mississippi had cast her electoral vote in 1840 for Harrison and Tyler, and it was felt that a strong effort was necessary to carry the State for the Democratic ticket in 1844. Jefferson Davis and Henry S. Foote were sent forth to arouse the enthusiasm of the disheartened Democrats. Great political meetings were held in every county. It was a day of hero-worship of party leaders, and of intense political loyalty. All assemblies of a political nature were made the occasions

for social pleasure and enjoyment. They were frequently held near some flowing spring in the forest. The feast of oratory began in the morning, and was allowed to be interrupted only by a feast of barbecued beef, mutton and game prepared on the grounds.

To those who never saw a Southern barbecue the cooking of the meats is novel and picturesque. The cooking begins the night before the speaking. Every neighboring plantation furnishes cooks famous for their barbecued meats. The work is done by the light of bonfires made of pineknots. The broiling is done over long, narrow pits or trenches dug about two feet deep. Hot fires of hickory bark are built in the trenches, green poles cut from the trees are placed across them, and the primitive broiler of our fathers is ready. The meats are placed over the glowing coals, the cooks are provided with a mixture of apple vinegar, pepper and salt, and long poles to which are attached cloth mops, these are dipped into the mixture and applied to the meats, and the process continues until the meats are done. No new methods of cooking can impart the delightful flavor of the old Southern way.

Old men and matrons, young men and maidens, black mam-mies and pickaninnies, all classes, turned out to hear the speeches of the great party leaders, everybody was a partisan, men, women and children were politicians by nature. Amid such scenes and surroundings Davis and Foote made the great canvass of 1844. Old men still speak of it with enthusiasm. That canvass caused the election of Mr. Davis to Congress in the following year. The Mexican War soon followed. He was elected colonel of a Mississippi regiment, his resignation as a member of Congress was placed in the hands of the Governor. He immediately went to the front and saved the battle at Buena Vista. His famous command of "Steady, Mississippians, steady; let those fleeing men pass through your ranks, steady," inspired his men with such courage and steadfastness as was brought forth by Leonidas at this historic pass by the sea.

On the return of Col. Davis from the Mexican War he was appointed United States Senator from Mississippi. To aid him in the discharge of his new duties he brought to the Senate deep learning and ripe scholarship, varied and accurate information, readiness in debate, and other elements that go to

make up true oratory. Prescott, the historian, says that Jefferson Davis was the most accomplished member of the Senate of 1850. In the Senate of that day was heard the seductive eloquence of Clay, the convincing logic of Calhoun, the wondrous oratory of Webster, the sledge hammer blows of Benton, the classic periods of Berrien, and the slogan of the Douglas. Cicero pleading the cause of Sicily against Verres, or Tacitus thundering against Africa could not equal the eloquence of such orators. The effect of Senator Davis' power as an orator was aided greatly by his external appearance. His frame was tall, graceful, commanding, and compactly made. His face was most striking and always attracted attention. A deep seriousness was the expression most common to it, which was no doubt made more striking by the pallor of his features called the "pale cast of thought." There was an undoubted tinge of melancholy in the face of Senator Davis, as if the shadow of his country's sorrow was cast upon it. His manner in the delivery of his speeches was not dramatic or oratorical, it had in it more of vigor and earnestness and belief rather than declamation. His oratory was in perfect harmony with the best Senatorial models.

In Alfriend's *Life of Davis* is given this estimate of him as an orator:

"He was as intrepid and defiant as Chatham; but as scholarly as Brougham; as eloquent and perspicuous as Canning, and often as profound and philosophical in his comprehension of general principles as Burke; when aroused by a sense of injury or by the force of his earnest conviction as much the incarnation of fervor and zeal as Grattan, but like Fox, subtle, ready, and always armed cap-a-pie for the quick encounters of debate."

On the death of John C. Calhoun, Senator Davis became the acknowledged leader of the Southern Democracy in the Senate. Stephen A. Douglas, the "Little Giant" of Illinois, was the leader of the Northern wing of the party and was ambitious for the Presidency. Douglas represented expediency, Davis principle. One wanted success for his party as a means of personal power, the other wanted it because it stood for correct principles. There was an open rupture between the two leaders during the session of 1860 over the "squatter sovereignty" theory of Douglas which led to and culminated in

the division of the Democratic party at the Charleston convention. The Senatorial bearing of Senator Davis is thus described by a writer of the time:

"Always the Senator in the sense of the ideal of dignity, and courtesy which is suggested by that title, he was always the gentleman on all occasions; never condescending to flatter or sooth the mob, or to court popular favor, he lost none of that polished and distinguished manner in the presense of a 'fierce Democracy,' which made him the ornament of the highest school of oratory and statesmanship of his country."

The parliamentary speeches of Senator Davis are models of good form, there is knowledge, belief, earnestness and eloquence in all his speeches delivered in the Senate. He was most effective as a parliamentary orator, although he was gifted with many of the attributes of popular eloquence. He appealed more to the understanding than to the feelings. He never sought to stir the people to violent and passionate emotion. There are many of his speeches delivered during the war to the people and to the armies in the field that are perfect types of lofty, convincing, and impassioned eloquence.

Above mere form, matter and delivery there is something in the speeches of Senator Davis that permeates every sentence, that tells of the noble sentiments of the soul that lie behind his words. His speeches are not mere carefully prepared essays that smell of the lamps, not lifeless words that have been carefully selected in the seclusion of the study, but live, burning, convincing words sent forth from a brain and soul that is on fire with great ideas. At times his eloquence was like the music of some grand organ mighty with melody, then again it would soar aloft on the wings of some resistless passion and subside into the gentle soothing music of a mother's lullaby.

VII. Alexander K. McClung.

Of all the names that tradition has handed down, that of Alexander K. McClung stands out prominently as the eccentric genius of Mississippi history. His eccentricity, picturesqueness and brilliancy attracted eager curiosity through his life, and made him the subject of much unreliable, sensational stuff written after his death. That he possessed brilliant talents as an orator of the Attic school is evident, whether that opinion is formed from tradition or from study of his speeches. While

tradition cannot be relied on in every instance it is safe to depend upon it to place the name of McClung among Mississippi orators. He was a brilliant speaker by inheritance, an accomplished scholar by mental discipline. The blood of the Breckenridges of Kentucky and the Marshalls of Virginia flowed in his veins. A love for oratory, poetry and music was a part of his nature, and eloquence came to him by the same power that gives sentiment to the poet, a taste for the beautiful to the artist and song to the birds. In the early 30's, when Col. McClung came to Mississippi it was a period of "flush times," there was talent everywhere, there was a rich harvest of fame and fortune to be reaped and brilliant young men from the older States were attracted by it. Kentucky sent Jefferson Davis and Alexander K. McClung.

The people of the State loved oratory, politics and state craft. The love of oratory that existed among them was the spray that crystalized under the wand of genius into immortal gems of eloquence. It is the gem of immortality, the latent spark of divinity that the orator warms into life, kindles into a flame, clothes with plumage, fits with wings and teaches to fly over the unlimited fields of space and time to revel upon the expansive glories of a beautiful universe.

The orator strips nature of her dull leaden veil and robes her in a sheen of golden light, penetrates the soul with hope, awakens imagination, and fosters every generous and noble emotion. To live among liberty-loving, passionate, imaginative people is in itself an inspiration to beautiful thoughts, eloquent words and sublime deeds. Col. McClung was educated for the navy, the instinct of race made him a lawyer.

Physical and moral courage are necessary elements to the orator. He was as brave as Leonidas or Savorola, and was one of the heroes of the Mexican War.

As Lieutenant Colonel of Jefferson Davis' regiment he displayed his superb courage on every hard fought field from Palo Alto to Mexico. At the storming of Monterey he led the assault and was the first man to scale its cannon guarded defenses.

In personal appearance Col. McClung was noble, commanding and impressive, his form was that of an athlete, tall and graceful, his head was large, his face handsome and winning.

His manner was stately and courteous, he was kind and generous by nature. It is the purpose here to tell of his powers as an orator, not to bring out the sins, sorrows, lost ambitions and ruined hopes of this brilliant, erring son of genius. If his courage sometimes degenerated into the bragadocio of the bully, if his eloquent tongue was frequently silenced by intemperance, if his great mind was almost wrecked by the breakers of sorrow and disappointment, we can still admire what was, what might have been. Col. McClung was a partisan Whig of the most intense type, and was in the habit of declaring that the devil was the first Democrat. He was the leader of the Whig forces in the Presidential campaign of 1840, when hard cider was the popular beverage, and "Tippecanoe and Tyler too" the rallying cry of all good Whigs. During the campaign he edited and published "The Crisis," a newspaper devoted to Whig interests. Harrison and Tyler carried the State and Col. McClung was appointed United States Marshal by the new administration. All traces of the political speeches and campaigns of Col McClung are lost, and we have tradition only to rely upon in making up an opinion. Soon after the Mexican War he became the Whig candidate for Congress in the Columbus district in opposition to W. S. Featherstone, the Democratic nominee. A joint canvass was arranged between them, and many of its incidents and details are matters of current tradition and country-store talk to-day.

Featherstone was a superb specimen of physical proportion, brave, earnest and determined. He had the advantage of being the candidate of the Democratic party. Col. McClung had just returned from the Mexican War with a well earned fame for glorious deeds, his wounds were eloquent of his courage at Buena Vista and Monterey. He appeared on the stump supported by crutches. Eloquent, dramatic and earnest, he fought an unequal battle, even the halo of his matchless war record could not wipe out a Democratic majority. The fame of Col. McClung as a polished classic orator rests upon his superb eulogy of Henry Clay, delivered before the Mississippi legislature by special request. That speech was preserved in pamphlet form and has been perpetuated in Lowry and McCardle's *History of Mississippi*. It is a great tribute to a great man. Henry Clay was his leader and political idol, his words were inspired

by an earnest devotion that sent them forth burning with feeling and affection. He was at times as classic and polished as Burke, sound and logical as Calhoun, deep and profound as Webster, all mingled with the fire and passion of Patrick Henry.

VIII. Albert G. Brown.

The public career of Albert G. Brown has no counterpart in Mississippi history, and it illustrates the opportunities for the rapid rise of young men of ability in a new State. No other man has been so uniformly successful. He entered public life at twenty-one as a member of the legislature from Copiah county, and after a service of two years was elected speaker, he was made member of Congress at twenty-six, Circuit Judge at twenty-eight, Governor at thirty and United States Senator at forty. Such a series of honors extending over a period of twenty years won without a defeat is the remarkable record of the man who was doubtless in closer touch with the people of Mississippi than any of the great men of the State preceding the War. To have attained such distinctions and deserved such honors Albert G. Brown must have possessed great and good qualities of mind and heart.

The reign of demagogues may last for a time, the people may be imposed on for a brief period, only genuine merit can gain and retain their confidence and approval through long years of public service.

One of the sources of Governor Brown's power was his control of human minds, wills and passions by his eloquence. Southern oratory like that of Ireland has been said by some critics to contain too much of figurative decoration, too much classicism, but the really great orators of the South placed knowledge above mere rhetorical glitter and empty declamation.

The period covered by the public career of Governor Brown was a time of great political activity and intense party rivalry. Under ordinary conditions Mississippi could be relied on to give Democratic majorities. While the Whigs were in the minority the party was made up of much of the intelligence and culture of the State. The party leaders were able, aggressive and alert. Prentiss, Poindexter, Sharkey, Guion, McClung, the Yergers, Alcorn, Lynch, Turner and Bradford were Whig leaders and

waged valiant war through years of disastrous defeat. The ability of many of them was so great that they were elected to high positions of honor and trust when the State was Democratic by large majorities. Governor Brown was an intense Democrat of the Southern type, he took his political opinions from Jefferson and Calhoun. Andrew Jackson gave him his principles of party discipline and success. He had great capacity for party organization and tactics, and at the same time was a leader in all the great intellectual movements of his State.

In his first message to the legislature during his second term as Governor he urged the establishment of a complete system of public schools supported by the State. The State University at Oxford began its great career of usefulness during the administration of Governor Brown.

In 1839 Albert G. Brown and Jacob Thompson were the Democratic candidates for Congress and made a joint canvass of the State. It was the first campaign since the famous Prentiss canvass when the Whigs, inspired by the matchless eloquence and courageous leadership of their candidate, had swept the State. The campaign resulted in the election of Brown and Thompson. Although only twenty-six years old the young Congressman sustained himself against all comers, and gained a reputation for ability, courage and fidelity that was never lost. His first speech in Congress was in defense of the policy of the Van Buren Administration. It was soon observed that the new member from Mississippi had confidence in himself, and the attention of the House was won. In one of his speeches delivered in Congress there is a splendid eulogy of Mr. Calhoun. He made a canvass of the State in 1843 as the Democratic candidate for Governor. The great question at issue was the payment of the Union Bank Bonds. The position of the Democratic party was against payment, the Whigs and some independent bond-paying Democrats favored payment. Clayton was the candidate of the Whigs. Col. Williams, an ex-United States Senator from Mississippi, was the candidate of the bond-paying Democrats. Governor Brown was elected by a good majority over both. After a service of four years as Governor, he was returned to Congress in 1849. He at once took part in the great debates growing out of the Mexican War and the admission of California as a State.

The year 1851 was disastrous to the Democracy of Mississippi. The Democratic-Union-Whig combination under the brilliant leadership of Henry S. Foote had carried the State. Governor Brown was one of the Democratic candidates for Congress in that remarkable campaign, and his great personal popularity saved his party from complete defeat. He was the only States' rights Democrat who was returned to Congress. In 1854 Governor Brown took his seat as United States Senator from Mississippi, and soon became a leader in the discussion of those great sectional issues that brought so much ruin and sorrow in after years.

His earnestness, force, knowledge and high character made him very effective as a parliamentary orator. His speech on the Kansas and Nebraska Bill, made in 1854, was one of the most conservative and effective efforts delivered in that great debate.

His speech on the slavery question, made in the Senate in 1856, was a masterly argument for the Southern position. The fate of the Union, its perpetuation or dissolution was the great question that occupied the Senate during Governor Brown's term. He grappled with and mastered the great principles and ideas of Southern statesmen and stood as an equal in the Senate of Davis, Toombs, Hunter, Benjamin, and Bell.

Governor Brown was one of those well beloved characters of placid harmonious temperament who have the happy faculty of adjusting themselves to all conditions of men, he was a man of the people without being a demagogue, his convictions were strong yet he never became disagreeable in pressing them, he was full of kindness for all men and his nature was singularly sweet and gentle.

While Judah P. Benjamin was hurling defiance at his political enemies in his farewell address to the Senate after Louisiana had withdrawn from the Union, Albert G. Brown shed tears over the sorrows that he saw clouding the future. He had intended to make a public farewell to the Senate, but after the great speech of his colleague, Senator Davis, he felt that nothing could be added in justification of the right of a State to secede from the Union.

Governor Brown was a handsome man of large and commanding form, he belonged to the Roman type, his eyes were

fine, and his large head was covered with dark, curly hair. His manner was natural and plain, graceful and pleasing. By a careful reading of McCluskey's *Speeches, Messages and Other Writings of Governor Brown* it will be found that his place is in the first rank of Mississippi orators.

IX. McNutt, Thompson, Featherstone.

Some reference has been previously made of Alexander G. McNutt, "The Great Repudiator," as he liked to style himself. He was an all powerful factor in Mississippi politics during the 30's. There was something in his commanding presence, herculean form and imposing delivery that made him one of the most successful popular orators of his day. He had many of the graces and accomplishments of scholarship combined with the rough and ready methods of an experienced campaigner. He delighted in political controversy, and his public career was a constant warfare.

Jacob Thompson had a genius for practical politics and was successful to an unusual degree. He represented Mississippi in the lower House of Congress for ten years, and was Secretary of the Interior in the Cabinet of President Buchanan. His ability as a close, accurate speaker and debater was great, and he possessed many of the attributes of the orator.

W. S. Featherstone was a member of Congress in the 40's. His celebrated canvass with McClung made him famous. He found his profession more congenial than politics and soon retired from Congress. In after years he did noble service for his State, and his name and fame should go down to posterity with the love of the people clustering around them.

MISSISSIPPI ORATORS FROM 1865 TO 1898.

X. L. Q. C. Lamar.

L. Q. C. Lamar was one of the most versatile men of his day, his intelligence was of a most restless character, in him the oratorical, poetic, literary and philosophical temperaments were remarkably blended. Think of the varied mental activities of his life. He had the knowledge necessary to make him a teacher of history, literature and belles-letters. He was a professor of ethics, mental philosophy and law at the University of Mis-

issippi, an essayist, a critic, a Shakesperian scholar, a political economist, an orator and a member of the greatest judicial tribunal in the world. He was versatile without being shallow or superficial. As an orator he sounded the first trumpet call of brotherly love and reconciliation after the War, he touched the great heart of the Nation, and made the South see the glories of the future through the dark clouds of adversity that overshadowed a people. James G. Blaine in his *Twenty Years in Congress* writes of Senator Lamar:

"He is a remarkable man, full of reflection and imagination, seemingly careless, yet always closely observant, apparently dreamy, yet thoroughly practical in everything."

Senator Lamar and Senator Blaine served together both in the House and Senate and the estimate of the author of *Twenty Years in Congress* may be relied upon, for no other American statesman was a more accurate judge of men

Senator Lamar came to Mississippi from Georgia in the first flush of an aspiring manhood. He made Oxford his home. His father was an eminent jurist of Georgia, and gave his son a classical training. Some men indicate during their student days the talents of more mature years. Webster's speeches as a college boy were embryo forms of his famous reply to Hayne. John C. Calhoun was a profound logician and skillful debater at eighteen. L. Q. C. Lamar was the prize orator of the student body while in college. The first political speech made by Mr. Lamar in Mississippi was delivered at Oxford in a joint discussion with Henry S. Foote. It was during the great campaign of 1851. Senator Foote had driven John A. Quitman from the canvass, and was flushed with many forensic victories. Mr. Lamar was twenty-six years old when he made his reply to Foote. He was waited upon by a committee representing the States' rights Democrats and requested to reply to Senator Foote when he came to Oxford. In writing of the debate Mr. Mayes in his admirable *Life of Lamar* says:

"He had had no practice in polemical discussions and was without experience in practical politics."

Of Senator Foote the same author says:

"His antagonist was an experienced and trained politician of the highest official position, who had been driven to bay and was now exulting in victory, whose adroitness and pugnacity were unmatched in the State, whose hot temper and personal courage were proverbial, and whose tongue was untiring and vitriolic."

Mr. Lamar was a member of the faculty of the University of Mississippi at the time of the debate, the students were his devoted partisan admirers and gave him the encouragement of their presence and support.

On the appointed day Oxford was packed with noisy and exultant Union-Democrats and Whigs; State's Rights Democrats were there in equal numbers; their manner was more subdued and apprehensive. It was proclaimed aloud that Senator Foote, the great gladiator of campaign oratory, would overwhelm the young orator from Georgia with his eloquence, humor, wit and satire. At the appointed hour thousands of admiring partisans of each side were assembled to cheer their champions on to victory. The debate was opened by Senator Foote. His speech was grandly eloquent as he dwelt with patriotic fervor on the glories of the Union. Mr. Lamar arose to reply. As he stood before the cheering people there was something in his presence that inspired his friends with confidence in his ability to meet the situation, to prove equal to the obligations of the hour. His bearing was confident, modest, graceful and dignified. He was a man of medium size with a thoughtful, scholarly face, noble brow, dark, abundant hair, and large gray eyes. The speech that he made was logical, eloquent, scholarly and graceful. His manner toward Senator Foote was as courteous as that of Raleigh, his statement of great principles as powerful and forcible as Burke at his best.

The enthusiasm at the close of the debate was so great that the students of the University, to show their admiration for their champion, took him upon their shoulders and carried him in triumph from the scene of the debate amid the wild cheers of the people. The impressions made by that speech marked the beginning of Mr. Lamar's political advancement. He was nominated for Congress by the Democratic party in 1857. His opponent was James L. Alcorn, the candidate of the Whigs. As was the custom of that day a joint canvass was arranged. One of the appointments was at Oxford. This graphic description of the discussion is given by Judge J. M. Arnold, who was a student at the University at the time:

"While at the University I witnessed a joint political discussion between Col. Lamar and Gov. James L. Alcorn, who was then the strong and aggressive leader of the Whig party in Mississippi, in the first race made by Judge Lamar for Congress, and in which he was elected

over Gov. Alcorn. There were thousands of enthusiastic partisans of each side present, and music and beauty and generous rivalry and patriotic ardor lent their attractions to the swelling scene. It was a contest between giants conducted with the utmost courtesy and decorum, over great principles and policies. The older and more experienced Whig leader, who had but few equals in his State as a political speaker, spoke grandly, and conducted his lines of assault and defense with consummate skill and ability, but it was generally conceded that he had found his match in the young Harry Percy, of Democracy, from Georgia. I have never before or since witnessed such a discussion. It was an inspiration to everybody, instructive to the young, refreshing to the old, and elevating in all its aspects."

It was in this canvass that Governor Alcorn introduced the turkey joke that has since done such frequent and valiant service in political speeches. At Coffeetown Mr. Lamar had the opening and made a speech of unusual eloquence, he soared aloft on the light wings of fancy and painted his word picture with a brush dipped in the golden colors of the stars. In his reply Governor Alcorn generously complimented his opponent on his superb effort, and humorously warned him that before the canvass was over he would be compelled like the turkey who had his wings clipped to "roost lower."

The election resulted in the selection of Mr. Lamar by a large majority. When he took his seat it was a time of great political excitement and sectional passion. His first speech was made on January 13th, 1858, on Kansas affairs. Mr. Lamar was the first Democrat elected to Congress after the War, and took his seat in 1873.

In 1874 he delivered his great eulogy on Charles Sumner. That speech was perhaps the greatest ever made by Mr. Lamar in Congress. It had the greatest immediate influence on those who heard him, which has been called by some authorities the greatest evidence of oratorical success.

This feeling and beautiful description of the effect of the Sumner speech is taken from a memorial address delivered by Judge John L. T. Sneed before the Memphis bar.

"The occasion was a sublime and auspicious one. The audience and the auditorium were the most magnificent on earth. He thought of his own people; and above all things else, he wanted peace. This was the opportunity of a lifetime to set an example of lofty generosity and forgiveness, to lift up the standard of peace and justice in the sight of the people. The supreme hour had come, demanding the forecast of a statesman, the chivalry of a hero, the moral courage of an archangel, the heaven-born inspiration of a Chevalier Bayard, but Lamar possessed them all. He arose in his place. 'The fiery tribune from Mississippi has taken the floor.' 'What for?' everyone asked his neigh-

bor. 'To bury Caesar not to praise him,' was the mental reply of each. All eyes were fixed upon him, all voices hushed; and such a flow of eloquence in praise of the dead statesman, and in extenuation of the bitter persecution of which the South complained, was never before heard in that hall. The speech was heralded all over the world, and produced in all tongues of the world. Old men bowed their heads and wept. Young men gathered around him and gazed upon that familiar figure, now transfigured before them into the very genius of peace, pathos and eloquence. The fiery Southerner looked upon the intrepid orator with unspeakable wonder at the temerity of his utterances. The women in the gallery clapped their hands and waved their handkerchiefs in a frenzy of admiration for the only man who had dedicated his head and heart and soul to the Southern cause, who had the courage to speak a word of kindly eulogy over the bier of the dead Senator from Massachusetts. The orator ceased. For a time the chamber was as silent as a mausoleum. A holy influence as of 'incense from an unseen censer' suffused itself over the vast assembly, and for the first time in twenty years the peace of God which passeth all understanding, seemed to pronounce its blessed benison over the Congress of the United States."

In 1877 Mr. Lamar was elected United States Senator from Mississippi. His first great speech in the Senate was made in opposition to the Matthews resolution declaring United States bonds payable in silver at the option of the government. His speech explaining why he disobeyed the instructions of his State legislature to vote for the Bland Bill reaches the highest point of convincing logic and brilliant patriotic oratory.

When Senator Lamar entered the upper House of Congress he found a grand galaxy of Democratic leaders and statesmen. Bayard, Vorhies, Thurman and McDonald were there like grand sentinels of justice for a brave people and the South will never forget or cease to honor them. Gordon, Hill, Harris, Beck, Garland and Vance were there as mighty defenders of Southern honor. Blaine, Edmunds, Conkling, Sherman, Hoar and Allison were Republican leaders. The reputation of Senator Lamar as a brilliant orator was national when he took his seat, so that there was no delay in his development of leadership. He at once became the mouthpiece of Southern aspirations, with an olive branch always in his hand he was the great apostle of sectional reconciliation. There was widespread discontent in Mississippi over the refusal of Senator Lamar to vote for the Bland Bill. The canvass that he made in defense of his refusal to obey the instructions of the legislature was the most brilliant and effective effort of his life. He spoke at Oxford, Coffeeville, Jackson, Vicksburg, Meridian and other places, and every speech was a personal triumph.

Mr. Mayes in writing of his brilliant canvass says:

"The speeches of this year, as a group, were the most elaborate, the most impassioned, and perhaps the best he ever made. The subjects to be discussed were so numerous, varied, interesting and important—important both to people and to himself—but he exerted himself to the utmost. For three and a half hours he would hold his audience enchanted. It was commonly remarked that he swept all opposition before him. Men who were so hostile that they could hardly be persuaded to hear him at all, would mount upon the benches and tables swinging their hats and huzzaing until hoarse."

The speeches he made at that time are lost, and we have tradition only to rely upon. Inquiry has been made of aged men who have heard all the great orators of Mississippi and the opinion of all is that the speeches made by Senator Lamar in defense of the right of a Senator to disobey the instructions of his legislature when he believes them to be wrong are the greatest ever made before the people of Mississippi. His greatest efforts were made before great assemblies of the people. The wonderful effect of his efforts as a popular orator can be best described in the words of General Catchings:

"While his orations in the Senate chamber were models of eloquent diction, ornate rhetoric, and resistless logic, yet it was on the hustlings before the people that he was most powerful and superb. I doubt if any man ever lived who exceeded him in the power to touch the hearts, stir the emotions, and sway the judgment of such an audience. I have seen assembled thousands hang breathless upon his words, laughing, crying, elated or serious by turns, as with the hand of a master he played with their emotions and subdued their judgments. It was not so much by beauty of speech or logical sequence of statement that he did this, for in those respects many perhaps have equaled him; but there was peculiar to him a passion, an intensity, a charm that spoke less from his tongue than from his soul-lighted and changeful countenance, as he himself was dominated by his masterful emotions."

There is always discussion as to the amount of preparation orators give their speeches. On account of the beauty, smoothness, harmonious flow and logical order of Senator Lamar's language it has been supposed that all his great speeches were carefully written out in thoughtful seclusion. His mental preparation was great, his paper preparation was small. Senator Lamar was not only a great popular and parliamentary orator, he was the most effective, ready, and resourceful debater in the Senate. His famous tilt with Conkling was a great master-stroke of Senatorial debate. His words cut like a Damascus blade.

When asked for an explanation of a charge of falsehood

against Senator Conkling, Senator Lamar looking straight into the eyes of the Senator from New York said:

"Mr. President: I have only to say that the Senator from New York understood me correctly. I did mean to say just precisely the words, and all that they imported. I beg pardon of the Senate for the unparliamentary language. It was very harsh; it was very severe; it was such as no good man would deserve, and no brave man would wear."

Senator Lamar's last great speech was made April 26th, 1887, at Charleston, South Carolina, on the occasion of the unveiling of a monument to John C. Calhoun.

It has been said that true eloquence cannot exist in the absence of great moral qualities. Throughout every speech that Senator Lamar ever made there was a vein of genuine, sublime sentiment, there is something of the devotional, organ-like tones of Milton, the oceanic melody of Shakespeare, the spiritual elevation of Hooker, the wisdom of Bacon and the polished periods of Everett. He possessed in a remarkable degree all the great qualities necessary to make up the orator, the brain, the logical force and clearness, imagination, courage and moral power. Senator Lamar's great eulogy of Sumner is as inspiring as Burke's picture of the devastation of the Carnatic by Hyder Ali; it gives the reader the same pleasure as the first enraptured vision of the Madonna at Dresden, or the figures of Night and Dawn, and the Penseroso at Florence gives the artist.

XI. Edward C. Walthall.

It is fitting that the name of Edward C. Walthall should be associated with that of Lamar. There existed between the two men a beautiful friendship that was as pure and unselfish as that of David and Jonathan. They were thrown together as partners in the practice of law at Coffeeville, just after the close of the war when a feeling of unrest and uncertainty was common everywhere. Senator Lamar was in the habit of saying that General Walthall was the greatest man he knew. Morley says of Charles Fox:

"No man was more deeply imbued with the generous impulses of great statesmanship, with chivalrous courage, with the magnificent spirit of devotion to high inspiring causes."

If asked what great Mississippian those words best described I would say Edward C. Walthall. With one hand he covered

the grave of sectional hate with unfading flowers of forgiveness, with the other he defended his State against the unjust assaults of unthinking malice. There are certain features of character that rarely fail to make leaders of the men who possess them. They were harmoniously combined in General Walthall. He was independent, prudent and courageous, he had earnest and intelligent convictions combined with intense devotion to principles, he was frank, generous, courteous and kind. He was the possessor of a rare combination of great qualities. The courage, dash and superb leadership of Marshal Ney was his, he was the idol of the boys in gray, he was as unerring and wise in his legal opinions as Marshall, as great an advocate as Randolph, as honest and incorruptible as Cato, and as logical and eloquent as Wirt; then, too, he was a practical man of affairs, and a statesman of rare foresight and prudence. He was the best balanced man of all Mississippi's public men.

General Walthall located at Coffeeville in his early manhood for the practice of law. All his inclinations and ambitions turned on professional rather than political success, but young men of ability are frequently forced into politics by the demands of party against their inclinations. After a few years of practice he was elected district attorney as the candidate of the Democratic party. The young prosecutor for the State had to contend with the greatest lawyers of the Mississippi bar, Reubin Davis, Roger Barton, J. Z. George, A. K. Blythe, D. L. Herron, and W. S. Featherstone were in active practice in his district.

He entered the Confederate Army as lieutenant, when the end came he was a major general. John B. Gordon, Nathan Bedford Forrest, and Edward Cary Walthall were the great civilian soldiers of the Confederacy. General Walthall was one of those men who could not appear in public, open his lips or move his eyes without at once attracting the attention and captivating the interest of every man around him. There was something magnetic about him that was so controlling that his very presence inspired confidence and admiration. A shake of his hand, a look into his eye made you his friend for life.

His power as an orator was greatly aided by his pleasing manner and attractive appearance, he had great natural gifts of form, face and voice. His physical presence was superb, he was

tall, dignified and graceful, his face was noble and true, his head was large and classic in its outlines, and was covered with dark waving hair worn long. There was sweetness and mellowness about his voice that was like the sound of some musical instrument touched by master hand, in conversation it was low and harmonious, it was full and ringing and rich in speaking. His mouth was the most remarkable feature of his face and contained a rare combination of oratorical qualities. It was characteristic of force, firmness, courage, it was smiling, affable and commanding, proud and kind, tender and impassioned, accurate and vehement, and was capable of the softness of a woman or the sternness of an awful judge.

For twenty years after the War General Walthall led the contented life of a country lawyer of large practice. He delighted in the quiet simplicity of life in a small town. It was his custom during each day to leave his office for an hour and sit out in front of the stores of the public square on a convenient goods box and chat with the local gossips and with the farmers who came to the station for mail and small purchases. In this way he came in close touch with the honest farmer and man of the soil, he found out how the people felt on public questions for they were always discussed. The amiable weakness of the Mississippi farmer is a passion for talking politics. He likes it, and while industrial development and kindred subjects might be more helpful to him they do not give him the same satisfaction.

General Walthall was frequently called upon for counsel and advice during the dark days of reconstruction. He felt the bitter humiliation of negro rule and together with Lamar, George, Barksdale, Harris, Percy and Featherstone led the revolution of 1875 which resulted in its overthrow.

Mr. Lamar was the senior United States Senator from Mississippi in 1885. After the inauguration of President Cleveland in March he was made a member of the Cabinet as Secretary of the Interior. Governor Lowry appointed General Walthall to fill the vacancy. He was appointed to the Senate not as a reward for party service or partisan loyalty, but for his ability, purity of character, lofty sense of honor, and above all the people called for the appointment. He had never sought the hon-

ors of a successful partisan and party worker, he knew nothing of political tactics and was a part of no political machine.

His Senatorial career covered a period of twelve years and among the great men with whom he associated during that time there were none who excelled him in native ability, stainless character, accurate information and true oratory. He was not a frequent speaker, and was never prompted by a desire to impress the Senate and the country with his power as an orator. His personal influence over men extended to all circles and conditions, the farmer at home came to him for advice, the Senator at Washington sought his judgment upon great questions of government.

The intellectual accuracy of General Walthall was very great. As an illustration of that talent the following incident was told the writer by one of the chancellors of the State who knew him in close intimacy of friendship for years. The General was engaged in the laborious preparation of an important law suit involving large interests and embracing many intricate principles. The authorities on the question upon which the result depended were meagre and only one case had been found after painstaking investigation over the entire field of American case law. The chancellor was then a young man with an office across the hall from General Walthall's and frequently visited him. The General mentioned his difficulty and amiably appealed to his young friend for help. The investigations were continued without results. Finally a new law book was published and came into the hands of the young lawyer, and in the course of his reading he found the very principle that had been the subject of search, and it was stated in the text that only one case dealing with the question under investigation had been decided in the United States. General Walthall had found that case. It was done long before the late day aids and helps.

In his Senatorial career he had little capacity or taste for partisan plays for political position. When he took his seat in the Senate the Democratic party was in power for the first time in twenty-five years. It was the desire of the party leaders to make a good record and gain the confidence of the country. There was yet lingering some of the old bitterness growing out of the War. The best and most thoughtful Senators were anxious to blot out a sectional feeling that had been fostered

and kept alive on both sides for political purposes. Senator Lamar had been the great leader of reconciliation, and his great mission was continued by General Walthall. He soon gained the admiration and confidence of Northern Senators by his broadness, liberality, courtesy and tact. No Southern Senator had greater influence with the generous, fair-minded Senators from the North.

General Walthall's Senatorial speeches cover a wide range of subjects—tariff, taxation, finance, public improvements, Southern conditions and others occupied his careful study.

When the beautiful Confederate monument that stands in the old capitol grounds at Jackson was unveiled General Walthall delivered the dedication oration. He was at his best on that great occasion, and the speech that he made is yet ringing in the ears and swelling the hearts of the men who stood in the trenches. It was a monument to the men who wore the tattered gray and stood behind the guns. The speech was a tribute of one of their leaders who always led the way and who loved the private soldier with an Eastern devotion.

There are two tributes to the peerless veterans of the Confederacy that should live forever. One was delivered by Senator John W. Daniel before the Virginia legislature at the Jefferson Davis memorial meeting, the other fell from the lips of General Walthall at Jackson. Charles James Fox says that a great speech never reads well, that it is lacking in those elements of a carefully prepared essay which bear the close scrutiny of the study. Many of the great speeches of the world have been polished and arranged by the men who made them after delivery. Take out of a speech the thrill of enthusiastic people, the sweet tones, the passion, the flash of eye and play of features of the speaker and much of its beauty and power are gone. Much of General Walthall's power as an orator was personal. He had a marvelous harmony of manner and matter, of delivery and feeling. He had all the intensity of the enthusiast combined with the true judgment of the philosopher. His style was clear, simple and convincing, his manner earnest, intense and polished. He combined the simplicity and naturalness of a country gentleman with all the graces and accomplishments of a savant and scholar.

XII. James Z. George.

When the Mississippi school boy is asked who is called the "Great Commoner" of public life in his State he will unhesitatingly answer James Z. George. A student of greater maturity will tell you Lamar, Walthall and George are called the "Mississippi Triumvirate." For thirty years they filled the public mind, and moulded public sentiment. Lamar was the Great Pacificator, Walthall the Great Defender, George the Great Lawgiver. While the greatness of Senator George does not depend on his powers as an orator, yet it cannot be denied that he was the greatest logician of his day. He did not affect the graces of the Attic school of oratory, yet as a profound thinker and close reasoner he had no superior. He was a rugged, honest, able, thoughtful man from the humble walks of life who had carved out a brilliant career from a beginning of poverty and obscurity.

His methods of oratory were somewhat different from those of his contemporaries. Strong, cogent reasoning, plain but deep sense were the leading characteristics of his eloquence. Earnest feeling an imagery are only introduced into his speeches to press the argument or to illustrate it. He impressed the hearer as a man who was speaking for a purpose and not for display. He paid little attention to the mere externals of oratory, his use of gestures was limited to a few that were graceful and unstudied. The flow of his oratory was in perfect keeping with the rugged simplicity of his character. His neglect of the ornamental had something stern and imposing about it, he seemed to stand like the top of some majestic mountain that scorned to be beautified and adorned by the wild flowers and vines at its base. When reading one of his speeches you feel that you are in the presence of a powerful mind that depends alone upon itself for persuasive power. He was trained in the legal school of oratory, his purpose was to persuade not to entertain, to instruct not to please. His style was that of the close, accurate writer of legal opinions. Before his election to the Senate he had made few political or parliamentary speeches.

The movement to disfranchise the negro by legal means began in Mississippi under the leadership of Senator

George. He was the leader of the convention and the defender of the new Constitution in the Senate. The new suffrage departure of Mississippi was the subject of much discussion at Washington in political and legal circles during the winter of 1890-'91. It was made the subject of violent partisan attacks in the Senate. Senators Hoar, Hawley, Spooner and Edmunds denounced it as being in conflict with the Amendments to the Federal Constitution clothing the negro with the right of suffrage. Senators Hoar and Edmunds were generally regarded as autocrats on questions of constitutional law, and they brought all the resources at their command in their attacks upon the new organic law of Mississippi. Senator George was in his seat as the defender and champion of the new charter of white supremacy. He was equipped for the forensic battle, he was ready for the truth, he was armed with confidence and courage to meet all comers.

He began his now famous speech in defense of the Mississippi Constitution on December 31st, 1890. He had been a member of the Senate for nine years and was known to be an authority on questions of constitutional law. While his ability was recognized the reserve force of the man was unknown to his associates in the Senate. There was a very great responsibility resting upon him. He had pledged his word that the new constitution would stand against all attacks. He was the chosen champion of the Southern crusade against ignorance at the ballot box. He had been the chief artisan in the construction of the law that lifted the fatal shirt of Nessus from the shoulders of the people. If he failed the people he loved would suffer. If he gained the victory future generations would rise up and call him blessed. His defense was grandly conclusive, it was overwhelming, convincing. The great Senator showed a more accurate and intimate knowledge of the constitutions of Massachusetts, Vermont and Connecticut than the Senators who represented those States. His defense was one of the great constitutional law speeches of the Senate, and will take rank in the future with Hayne's superb speech in reply to Webster. All the contentions of Senator George were afterwards crystalized into law by the Supreme Court of the United States in the case of *Williams vs. Mississippi*.

Senator George had a genius for intellectual labor. Like all

self-educated men he viewed all knowledge from the standpoint of utility. He was plain and simple in manner, its very simplicity was impressive.

He carried his rural plainness to the Senate chamber and could not be induced to change the comfort of his store clothes for the agony of high collars and evening dress. The Judiciary Committee of the Senate is the greatest law committee of the world, to be assigned to it is an honor of the highest order. For a long period of his Senatorial career Senator George was one of its ablest members. He was at his best when dealing with great questions of constitutional law. It has been said that he was as near the rank of a great orator as a deficient imagination would allow him to go. His style was clear and strong, full of reason, argument and illustrations taken from practical experience.

The oratory of Senator George was the product of pure reason. He used the methods of the logician, and laid aside the arts of the rhetorician. His style of delivery was deliberate, plain and earnest. The accuracy of his knowledge was an impressive feature of his oratory. While Senator George was most effective before deliberative bodies some of his greatest speeches were made before the people of Mississippi. In his great canvass with Barksdale in opposition to the Sub-Treasury Bill he reached the highest point of persuasive popular oratory. Major Barksdale was a candidate to succeed Senator George at the expiration of his second term, and his aspirations had the endorsement of the Farmers' Alliance. The people were suffering from the ills of financial and industrial depression and readily grasped at the Sub-Treasury Bill as a means of relief.

Senator George had condemned the bill in an open letter to the Alliance of his home county, his opponent had endorsed it and the issue between them was made up. Major Barksdale was an experienced public speaker of varied and extensive information, as a debater he was adroit and resourceful. He had been a leader in Mississippi politics for thirty years. The Alliance was organized in every county and was a recognized political power. Senator George had the support of the organized Democracy. Great questions of taxation and finance and domestic economy were involved in the discussion of the Sub-

Treasury Bill. Few of the people understood the practical effect of such a measure. Senator George entered upon a great campaign of education, he believed that the people would abandon the scheme if its defects were exposed. He published a list of appointments and invited Major Barksdale to a joint discussion of the questions at issue. In his first speech he assumed the aggressive and fearlessly condemned the pet measure of the all powerful Farmers' Alliance in all its details. Candidates for the legislature everywhere were known as Sub-Treasury and anti-Sub-Treasury men. As the joint canvass progressed it soon became evident that the irresistible logic of Senator George had convinced the people that the policy of the Sub-Treasury Bill was wrong in theory and ruinous if put into practice. A majority of the members of the legislature were instructed by the people to vote for the return of Senator George.

If eloquence is to be judged by its immediate effect, then the speeches of the "Great Commoner" made during the Sub-Treasury canvass should rank with those of Lamar made in defense of the right of a Senator to disobey the instructions of his State legislature. A hostile majority were transformed into enthusiastic supporters. The last great speech of Senator George was made at Winona in favor of the re-monetization of silver in 1895. All his speeches are valuable contributions to the political literature of the country. They abound in vital truth and sound principles. The logical arrangement is perfect and complete. The sentences flash with reason and blaze with logic.

XIII. James L. Alcorn.

If it had been even suggested thirty years ago that James L. Alcorn was great in any department of human effort there would have been a vigorous if not universal protest from the people of Mississippi. It would then have been their honest opinion that there was nothing in Governor Alcorn to respect or admire. That opinion was made up when strife and partisan bitterness held sway over the minds of the people. Public opinion has reached every extreme as to the place to which he is entitled among the eminent men of Mississippi. On one side he has been extolled as the only statesman of his day who un-

derstood the duties of the hour during the terrible days of reconstruction. On the other he has been hated and detested as a determined, ambitious man who sought to rise over the downfall of his State, who deserted her in the darkest hour of her peril. The last estimate is entirely wrong; there is something of truth in the first. In the flash light of thirty years an unbiased opinion can now be formed. The following estimate of Governor Alcorn was written by J. F. H. Claiborne and may be found in Goodspeed's *Memoirs of Mississippi*:

"It is no holiday task to review the career of James L. Alcorn. No man has been more prominently indented with the State in critical times; no man has brought more ability, energy, and self-sacrifice into its service; no man has been more misunderstood. The passions, prejudices and suspicions he encountered to some extent yet survive, but are gradually dissolving in the current of events, and he is now generally appreciated as a man of unquailing courage and indomitable enterprise; a patriot without stain, a statesman of extraordinary sagacity, called at the helm at the most trying period, to confront a disorganized and morbid public sentiment, to crush out old creeds, ideas and predilections: to guide by persuasion or by force a proud intelligent yet distrustful people into new grooves of thought and action, to conduct them from unsuccessful revolution, from the desolation of war, from the wreck of private fortunes, the overthrow of established institutions, and the iron rule of Congress, to peaceful industry, social order, and organized constitutional government."

The last remnant of bitterness against Governor Alcorn was buried during the consideration and construction of the State Constitution of 1890. He was so broad and liberal and patriotic as a member of the constitutional convention that the eyes of the people were opened to the true greatness of his character.

The great orator must be a good man, true emotions must fill his own heart if he would arouse them in the minds and hearts of others. Before the War Governor Alcorn was one of the most aggressive and brilliant Whig leaders and orators in the State. He belonged to that coterie of public men of whom William L. Sharkey was the leader. He fought many brilliant political battles with Democratic leaders at a time when his party was in a hopeless minority. The Whig leaders of Mississippi opposed the withdrawal of the State from the Union. After the War William L. Sharkey and James L. Alcorn were selected by a reorganized State government to represent Mississippi in the United States Senate. The Senate refused to recognize the provisional government that President Johnson

gave the State and the two Senators-elect were refused their seats. During the reconstruction period when public plunder seemed to be the sole object of public officials, Governor Alcorn stood between the people and the corrupt public servants. He foresaw the dreadful consequences of negro enfranchisement and regarded it as a stupendous blunder. He knew that the experiment of negro suffrage must be made to satisfy the radicals of the North. The negro by reason of the entire absence of self-reliance, want of experience, and because of his failure to appreciate his changed condition was helpless. If he could be properly directed and controlled many of the evils of his enfranchisement might be averted. Such direction and control was the policy of Governor Alcorn. The carpet-baggers came, gained the confidence of the negro and the dreaded reign of ruin began.

Thinking and impartial men at the North are inclined to believe that Southern men overdraw the darkness of the night of reconstruction. At this time, twenty-five years after, in the light of the facts of history the student of that period whose opinions are not embittered by the trials of the time stands in astonishment and marvels at the patience and long suffering of a brave and chivalrous people. Governor Alcorn was never in sympathy with the carpet-bagger element of the Republican party. As Governor he opposed all their plans for public plunder. He was elected United States Senator in 1871.

With these facts in mind attention can now be called to the immediate purpose of this sketch—the rank and fame of Governor Alcorn as a public speaker and orator. Macauley says in his essay on the Athenian orators that oratory is to be estimated on principles different from those which are applied to other productions. He says:

“A speaker who exhausts the whole philosophy of a question, who displays every grace of style, yet produces no effect on his audience, may be a great essayist, a great statesman, a great master of composition, but he is not an orator.”

There was little of the abstract philosophy of the political essayist and theorist in the oratorical methods of Governor Alcorn. He was intensely practical in his speeches and had that “terrible earnestness” that Carlyle attributes to one of his heroes. His style of oratory was of a popular character and was

best suited to the hustings. His large commanding figure, dignified manner, determined face, black hair and brilliant dark eyes made his bearing intensely eloquent. Such physical gifts combined with courage, energy, force, brain and determination made him an orator of the most intense type. His knowledge was extensive and accurate, his convictions deep and earnest. Reference has been made to his joint canvass with Col. Lamar in 1857 as the candidate of the Whig party for Congress. That campaign has long been famous in tradition as a battle of the giants, and old men refer to it and regret the decadence of such eloquence. Governor Alcorn was not only an eloquent orator of great power, but was skillful in the strategy of debate. He had the fiery impetuosity of Mirabeau combined with the defensive skill of Benjamin, he fought with the two handed sword of the Swiss, having little use for the curved scimeter of the Turk. He was a deep and original thinker of intense convictions; there was little of the sparkle of the mere rhetorician about his speeches. The matchless courage of Governor Alcorn commanded the respect and admiration of his enemies. His mental preparation was extensive and varied, he was a profound student of the political history of his country.

In the Senate Governor Alcorn maintained his well earned reputation as a forceful speaker and ready debater. A distinguishing feature of his character was his high moral courage, his absolute disregard of public opinion when he believed he was right gave him the power to face the frowns of the public with dignity and composure. After his retirement from the Senate he lived the placid dignified life of a country gentleman at Eagle's Nest, his plantation in "Sweet Coahoma." He lived to an honored old age, and after years of patient waiting saw all the misunderstandings of the past melt away before the light of truth and justice.

XIV. Chalmers, Manning, Barksdale.

The Chalmers family has long been famous in Mississippi. Joseph W. Chalmers was a United States Senator. His two sons were honored and distinguished men. H. H. Chalmers was Chief Justice of the Supreme Court. James R. Chalmers was a brigadier general of the Confederacy, a member of Congress, a learned lawyer and brilliant orator. He was one of the

men who fired the popular heart in 1875 and rescued the State from the blight of negro rule.

In 1877 Mississippi had a solid Democratic delegation in the lower House of Congress. Van H. Manning represented the Second District. The joint canvass of Col. Manning and Thomas H. Walton in the summer and autumn of 1876 will long be remembered for its brilliancy and intensity of feeling. Manning was a remarkable stump speaker, he was as fiery as Foote, and mingled scholarly grace and polish with passion and feeling.

Ethelbert Barksdale was a polished writer and eloquent speaker. His knowledge of political history was profound. He measured lances with such orators as Hooker and George and sustained himself. The name of Barksdale will always be remembered with gratitude and pride by the people of Mississippi. The name was made immortal on the bloody heights of Gettysburg where General William Barksdale gave his life for his country. Ethelbert Barksdale through the editorial columns of the *Clarion* gave the first impulse to the revolution of 1875.

THE CHEVALIER BAYARD OF MISSISSIPPI: EDWARD CARY WALTHALL.

BY MARY VIRGINIA DUVAL.¹

"His life was gentle and the elements so mixed in him, that Nature might stand up and say to all the world: 'This was a man.'"

In birth and breeding, in the environments and associations of a lifetime, and in the time allotted to him to perform his task in life, nature conspired in favor of that one of her sons who has been felicitously styled the "Chevalier Bayard of Mississippi," Edward Cary Walthall. Every inch of the man's personality proclaimed him the patrician that he was, and no togated Roman Senator, born to the purple, ever bore his honors more easily or with loftier grace. No descendant of a hundred belted earls, looking down upon posterity from the pictured canvass of Van Dyke, ever manifested more unimpaired confidence in the nobility of his race than did this unostentatious Mississippi gentleman, scholar, lawyer, soldier; scion of an old and honorable family, cradled amid the picturesque scenes of the capital of the Old Dominion, Richmond on the James.

Yet, with all his inherited pride of race and blood, a pride as much a part of his time and section as the air he breathed, with all the traditions and predilections bequeathed him by generations of highborn ancestors, he bore himself so sweetly, so gently, with so much of the "tender grace of a day that is dead" that none ever connected with a thought of him, that vulgar pride of place, that ignoble caste-spirit, which has done so much to throw disrepute upon honest and honorable pride of birth.

From the courtly English progenitors who had always borne well their part in attempting to wring from tyrants the liberty guaranteed by the Magna Charta, from a nearer Anglo-American ancestry, whose blood ever refused to run in slavish channels, young Walthall received, not alone his manly beauty and dignity of person, his courtly bearing and innate deference to

¹ A biographical sketch of Miss Duval will be found in the Publications of the Mississippi Historical Society, Vol. III., p. 155.—EDITOR.

the good and true, encountered in whatsoever guise, but a spirit of freedom, an undying loyalty to self-government and a passionate love of his native Southland, which became as much a part of himself as the spirit that palpitated in his manly bosom.

Edward C. Walthall was a true American, a true Virginian, a true Mississippian in his deep but quiet convictions of duty, his love of home and family, intense devotion to womanly modesty and jealous regard for the securities of individual freedom and local self-government. No commercial or mercenary considerations could induce him to depart from any of his early-adopted, deep-seated convictions of right, nor worldly interest chill the ardor of his zeal in pursuing the path of honor and integrity. No worshiper of Mammon was he, abounding in prudential virtue, but deficient in the principles which impel one to self-abandon in the cause of justice. This will explain why, at a time when contemporary statesmen, on both sides of Mason and Dixon's line were heaping up wealth and achieving the reputation of multi-millionaires, Walthall, serene, self-poised, pursuing with unfaltering tread the path dictated by his own lofty ideals, remained, with the vast majority of the Southern people, comparatively poor in this world's goods.

It is easy to see how, reared in the principles of an earnest Christianity,—his character, to the end, being dominated thereby—a reverence for the Bible and fine English literature, for a religious type of womanhood, for a sacred regard for the principles of government, he became, above all others, that type of man most loved and admired by the people of the South.

From boyhood, such traits as those distinguished him, and as he grew into man's estate he became unalterably fixed in his adherence to those principles instilled into his receptive mind and soul amid the quiet of his early Virginia home.

While young Walthall was still a boy, his father removed to Holly Springs, Mississippi, then and for years afterwards, the center of wealth and culture for a large portion of the State. At old St. Thomas Hall, then, and long afterwards, so justly celebrated for its superior educational advantages, we first learn to connect him with the busy, happy life of a leading Mississippi town.

And what a life it must have been! No other portion of the

State's history presents such fascination to the student of our social customs as that quarter of a century immediately preceeding the Civil War.

Through the kindness of Major William M. Strickland, a leading lawyer and well known citizen of Holly Springs, the writer has become familiar, with a portion at least, of the life of Edward C. Walthall while a boy, and, still later, an ambitious and successful practitioner.

The highly-graded and classical school of "St. Thomas Hall" was established by Dr. Francis S. Hawks, an Episcopal clergyman of great learning, who a short while before the entrance of young Walthall into the school had removed to New York city, becoming the rector there of a large Episcopal parish. Professor Henry Whitehead, an English gentleman of profound scholarship, and eminently successful as an educator had succeeded Dr. Hawks as principal of St. Thomas. Edward Walthall was then in the sixteenth year of his age and with twenty or more companions, young men mostly the sons of wealthy residents of North Mississippi, composed the student body of St. Thomas Hall. They were, for the most part, bright, brainy, ambitious youths, more than one of whom has written his name high in the annals of our State. Amid these congenial spirits the young Virginian, gentle as a woman, knightly as a Crusader, took his place; his good qualities soon becoming apparent to all, the commendation of his teacher and the plaudits of his companions only incited him to more earnest effort. The spirit of fun and prank, so characteristic of the leisure class of the "Old South" in its palmiest days, was by no means inconsistent with the spirit of achievement and we find that the laddies of old St. Thomas Hall, at that period, were typical Southern boys. At night they gathered under one or another of the hospitable roofs of the fine old mansions for which Holly Springs was noted, discussing with perfect freedom and frankness the general topics of interest from the latest "happenings" on the campus to the highest matters of state—every Mississippi boy in the very nature of things being an embryo politician. Little recked they, or their teachers of a time, fast approaching, when their mettle would be tested in the council halls and on the bloody battlefields of their loved Mississippi. At times the St. Thomas boys would gather at the law office of

Major Strickland, a prime favorite with them all, making merry over the knotty questions involved in science and the classics, reviewing the incidents of the class-room, the various points raised, expositions given and decisions made by "Old Whitey," as they affectionately styled Professor Whitehead. Many were the discussions of which Major Strickland became the arbiter, the Gordian knots he was compelled to untie or cut asunder. As was natural under the circumstances, some lasting friendships were formed between the boys of St. Thomas and their youthful Mentor, William M. Strickland. Especially was this true in the case of young Walthall, he and Mr. Strickland forming a friendship then which death alone had power to interrupt.

The advanced students of the "Hall" formed a polemic society, known as the "St. Thomas Hall Debaters," and Mr. Strickland was notified that he had been elected to membership in the same. The society met weekly, on Friday evenings and discussed a great variety of questions embracing law, literature, history and current topics. Young Walthall, Mr. Strickland tells us, was uniformly present and in fact was the leading spirit in the debates. He completed his literary career at St. Thomas, as did many others who subsequently distinguished themselves as leaders in the Commonwealth of Mississippi,—whether as lawyers, legislators or soldiers, time determined. None, however of that gallant group of young Mississippians shone more brilliantly in after life, nor held the affections of the people of the State in a firmer grasp than did the subject of this sketch, Edward Cary Walthall. After completing his literary course, he entered the office of his brother-in-law, George R. Freeman, a distinguished man of the bar of Mississippi, residing at that time in Pontotoc, and for a year pursued his legal studies with an ardor and enthusiasm that in the end brought its own reward. At the expiration of that time, he returned to Holly Springs, and in the capacity of deputy clerk, served in the office of the Clerk of the Circuit Court, Alexander Caruthers, Esq. He occupied that position for several months and by close application to his law studies and the practical outlines of pleading and practicing in the Circuit Court, became familiar with the jurisprudence of Mississippi.

Soon after receiving license to practice law, he removed to Coffeeville, Miss., the county site of Yalabousha county, and

formed a partnership with Judge Cheves, a well established, able and painstaking lawyer from South Carolina, with a large and lucrative practice. Walthall rose rapidly to prominence in his profession and in a short time was elected District Attorney for that Judicial district. Very soon he became one of the most prominent and successful prosecuting attorneys in the State. Learned in all the technicalities of his profession, able and brilliant in delivery, handsome of person and of face, courtly and winning in manner, it is small wonder that among a generous people, quick to appreciate those qualities, he rose steadily from a popular favorite to a popular idol upon whom was lavished the affections of a whole State.

There were no railroads in that portion of Mississippi when Walthall began his public career, and the swing of a popular lawyer around the circuit was an event of marked importance to himself, his clients and the public generally. Society in Mississippi "in the '40's and '50's was a reproduction, on a newer and grander scale of that of old Virginia and the Carolinas of an earlier period. The palatial homes, veritable Greek temples whose white columns gleamed invitingly through the arches of green woodland, and the gracious manners handed down through generations of English, Scotch, or Irish-American ancestors were faithful copies of Anglo-Virginian models, and became the birth-right of the Mississippian at his best, viz: in ante-bellum times.

In the courtly manners, elegant speech, and lavish hospitality of the period referred to, we have an echo also of Virginia and her daughters of the southeastern states. In the libraries we find all the current publications and periodicals of the day—American or foreign—and the conversation was flavored with wit, wisdom and the true Attic salt whose quality could not have been surpassed by the Puritan or the Knickerbocker of the same or any subsequent period.

With the passionate love of land and out-door pursuits, was mingled the genuine Saxon avoidance of cities and corresponding love of all phases of rural life, the elegant leisure engendered by a rich soil and generous climate making plantation life in Mississippi, a pastoral idyl, a poet's dream. Deference to woman, sympathy with the weak or unfortunate, faith in God and the Bible, and reverence for authority in church and

state, these were the predominant characteristics of the civilization of the South at that period, the most advanced that has yet existed on this continent! Many things conspired to preserve in the South the spirit and habits of the founders of our government, and it was in a State and community, thoroughly in accord with that spirit, that Edward C. Walthall entered upon his public career. No profession, not even the clerical, stands in such high repute in the South as the legal one. Given then, a man who is master of the science of jurisprudence, honest, honorable, forceful in argument, sympathetic and public-spirited and you have a character whose influence for good in a community is unlimited and inestimable. Such a character was General Walthall and even during the days of his district attorneyship, men were beginning to realize something of his worth.

The circuits, in the absence of railways, were traversed by the members of the legal fraternity in private conveyances, and picturesque enough they often appeared, the inevitable colored body-guard,—for each gentleman carried his own valet in those days,—bringing up the rear. During "Court Week" the dull little county seats took on new life and activity, for in the somewhat monotonous life of a country purely agricultural, the regular recurrence of the spring and fall terms of court brought a relaxation, and aroused public interest to a degree unsurpassed except by Christmas and-election days.

The country people with one accord came to town, shopping and other important matters having been set aside until "Court Week" should make it a matter of convenience. Such an array of farm stock as was displayed at the public hitching rack and convenient fence corners could not be equalled outside the pages of *Georgia Scenes*.

Farm wagons, transformed into family conveyances, the light sulky, stylish buggy, and aristocratic family carriage were all brought into requisition; family servants jostled each other, happy to the heart's core over any promised excitement. The "cracker element" has never existed to any degree in Mississippi and so the "poor whites" are the only class at such times conspicuous by their absence. The handsome wife and lovely daughters of the planter, their rich dresses and gay plumes giving the touch of color needed to the scene, lend the

charm of womanly grace and vivacity to the ever-shifting crowd, the planter himself, touching up his blooded stock, looking over the crowd with that serenity of soul produced by a full pocketbook, and the consciousness that he has "no case in court" this term. The talk varies, from the price of cotton,—perennial theme—to the latest aspirant for political honors—and through the whole kaleidascopic scene, walks the lawyer, alert, conscious, yet seemingly oblivious to what is as plain as the nose on his face to others, viz: that he, the representative of the law, is "monarch of all he surveys."

Callow youths, and budding politicians, watch his every movement, speculating in secret as to whether it were possible for the cut of the great man's coat, the tie of his neckerchief, above all his grand poise of manner to be imitated. The ladies, young and old, bestow their sweetest smiles upon the man of the law, and in his secret soul, the lordly planter himself acknowledges that if there is a being on earth to whom he would be willing to acknowledge a sense of inferiority it is the "leading lawyer in the district." If then, the average lawyer is looked upon in the light of a demi-god, small wonder is it, that a man of the personality possessed by young Walthall,—fresh from academic and legal lore, his mind thoroughly imbued with the technicalities of his profession, his face, not only classically intellectual, but rarely beautiful, should have been hailed almost as the Apollo Belvidere himself! Olympian Jove, there was not! Mississippians do not concede such superiority to mortal man, but surely this tall, straight, somewhat melancholy patrician, he whose eyes flashed with the true Promethean fire and whose speech won for him the proud title of "silver-tongued," was worthy of canonization, and having acquired the habit of worshiping Walthall, they never left off, but kept it up to the last.

From the day when first as a mere boy he asked for the suffrage of his own people until crowned with the honors of the proudest nation on earth he was laid to rest in the beautiful "City of Roses," he asked for nothing that was not given him. 'Asked, did I say? Nay; not as a suppliant came he—they brought their very best to him to accept. Now they take up the sad refrain:

“ Mourn, for to us he seems the last,
Remembering all his greatness in the past;
No more in soldier-fashion will he greet
With lifted hand, the gazer in the street.
O, friends, our chief state-oracle is dead.
Mourn for the man of long-enduring blood,
The statesman—warrior, moderate, resolute,
Whole in himself, a common good.
Mourn, for the man of amplest influence,
Yet clearest of ambitious crime,
Our greatest, yet with least pretence,
Great in council, great in war,
Foremost captain of his time,
Rich in saving common sense,
And as the greatest only are,
In his simplicity sublime.”

Such was the Walthall, loved and honored as few men have the privilege of being. While he was still a practicing attorney, residing at the little town of Coffeeville, an incident occurred which Mr. Strickland still dwells upon with great pleasure. The “Debaters of St. Thomas Hall,” the former schoolmates of young Walthall, determined to have a re-union in Holly Springs, the seat of their Alma Mater and the scene of their boyish triumphs and defeats. When the question as to the orator of the day arose, it was found that the body was unanimous for inviting Walthall. The invitation was sent, and he replied in his best vein, accepting. The place of meeting selected was the hall of the old “Union Hotel,” southeast corner of the public square. The members of the “Debaters” had become scattered and were settled in distant sections, but the majority of them returned to be present on an occasion of so much interest. A large number of invited guests, including many of the most prominent people of Holly Springs, were present and the chosen orator was at his best. He was greeted by the close attention and enthusiastic applause invariably accorded to his public utterance. As this was his first purely literary oration, he was very much gratified at its reception, and in later years, says Mr. Strickland, used to allude to the occasion with evident pride and pleasure.

While Mr. Walthall was still occupying the position of district attorney, Mississippi by her “Ordinance of Secession” passed in January, 1861, dissolved the bonds existing between herself and the Federal Union. Companies were rapidly organized throughout the State, the manhood of the common-

wealth, taking fire, as the electric lines carried over the country the news of the mighty events that were transpiring from day to day. Applications for acceptance into the State and Confederate service poured in upon Pettus, the "War Governor," daily. Among other companies was the one organized at Coffeeville, Miss., of which the captaincy was offered to Walthall, but, declining in favor of a friend, Captain Aldrige, he accepted the place of first lieutenant and went into the rendezvous at Union City with it,—its appellation being "Co. H.," Fifteenth Mississippi Regiment.

This regiment, of glorious memory, was composed of the very flower of Mississippi's manhood and carried its banner triumphantly over many a hard-won field of battle. After leaving Union City, it was placed under the command of the "fighting Bishop," General Leonidas Polk, who had left the field of labor as Bishop of Louisiana to join the militant host, fighting for the Southern Confederacy. He was stationed at the important strategic point of Columbus, Ky., a city on the Mississippi river a short distance below Cairo, Illinois.

In June following, the lieutenant colonel of the Fifteenth regiment having resigned to take work in another department of service, Walthall was chosen to fill his place, and from that time his promotion was rapid. He won his spurs at the ill-fated battle of Fishing Creek, where his regiment gained undying laurels, following their dauntless leader into the jaws of death. He was the idol of his soldiers, and they followed him with unbounded confidence and enthusiasm, whether it was into the heat of battle or on the tedium of a long and monotonous march. In the hospital and around the campfire he was their comforter, friend and protector.

On the 11th of April, 1862, he was elected Colonel of the Twenty-ninth Mississippi Regiment, and in June following was made Brigadier General, his brigade being composed of the Twenty-fourth, Twenty-seventh, Twenty-ninth, Thirtieth and Thirty-fourth Mississippi Infantry. From that time on "Walthall's Brigade" became "a name to conjure" with, their services being called into requisition wherever there was work to be done, whether in resisting the tide of defeat, holding back overwhelming numbers until successful retreat was practicable, or

making the welkin ring with their cheers when they had caused victory to perch above the Southern standards.

Men speak to-day with tearful eye and faltering voice of the Walthall who through four long years lived so near his men that they could feel the throbbings of his mighty heart. He had all the qualities that go towards the make-up of a great leader, fine judgment, earnest, dignified deportment, gentle and simple manners, joined to a fervent, unselfish patriotism, the courage and prowess of the Chevalier Bayard, the stainless truth and spotless honor of that King Arthur who made truth and honor and chivalry synonymous terms. His soldierly qualities, fine powers and earnest nature soon carried him over intervening grades to the office of Major General. After the death of General Leonidas Polk, who was killed at Pine Mountain, the name of Gen. Walthall was seriously considered as the fitting one to succeed the "soldier Bishop" who had died so gloriously. Learning of this, Gen. Walthall, with an honorable pride that does him great credit and a magnanimity rarely met with voluntarily relinquished all claims to the preferment in favor of Gen. A. P. Stewart, whose seniority in years, service and thorough military education, in Gen. Walthall's opinion, made him the most suitable candidate for the place. His letters endorsing Gen. Stewart and recommending him for the vacancy had much to do with the latter's receiving the promotion and the magnanimity that dictated them, throws a still more glorious light upon the "Bayard of Mississippi."

It is impossible, within the limits of this article, to follow the course of General Walthall through the different campaigns in which he was actively engaged; nor even to attempt to name the many battles in which he bore so conspicuous a part. It would, however, be an injustice to his memory not to give the names of those in which he so distinguished himself as to win a place in universal history. At the battle of Lookout Mountain, Walthall's brigade, composed of 1,500 Mississippians, as brave men as ever went into any battle, was ordered to hold a very important position occupied by a picket post extending from Lookout Creek, up the side of the mountain, across a breach to the projecting cliff. The fire of the Federal batteries swept the road by which retreat must be made or relief come. Walthall's line, upon his front and left flank, was attacked by

Gen. Hooker, "Fighting Joe," of an earlier day, with a division of 10,000 men. The brave Mississippians under their fearless leader made good their resistance until General Pettus came to their relief and the Confederate line thus reinforced held its new position for the remainder of the day. Both the Federal and the Confederate commanders, in their reports of the battle mention particularly this resistance of Walthall and his men. Only about 600 effective men were left the brigade after this battle, but on the afternoon of the next day we find them dashing across Missionary Ridge to protect Hardee's retreat, holding their position stubbornly until the long day's fight was done. Gen. Walthall was severely wounded in this battle, having been shot through the foot but nothing could induce him to leave the field, preferring to endure the pain to having his men demoralized by his absence. He was confined to his quarters for six weeks by this accident.

All the world knows the story of Hood's retreat from Nashville, protected by the "right and left arms" of the service, Walthall and Forrest. When Forrest, brave "Wizard of the Saddle" that he was, appeared before General Hood and was interrogated as to whether he would undertake the protection of the army he replied: "Give me Walthall and I shall undertake it."

When Walthall was asked if he would accept the responsibility, his reply was nobly characteristic: "I have never knowingly sought the path of danger, nor shunned the path of duty. I will go."

The story of that last march of despairing veterans would be darker than it is, but for the courage, the skill, the heroic daring that marked the defense of the retreating Confederates until the last straggling soldier had crossed the Tennessee river.

When the bitter end came, General Walthall returned to his home in Mississippi, re-opening his law office, at first, in Coffeeville and remaining there until 1871 when he removed to the beautiful old town of Grenada, continuing his legal practice there until 1885 when he was appointed by the Governor of Mississippi to fill the vacancy in the United States Senate, caused by the resignation of Hon. L. Q. C. Lamar who had been offered the place of Secretary of the Interior by President

Cleveland. From that time until the day of his death, while Mississippi still claimed him as her favorite son, her familiar places knew him no more except at short intervals, national politics henceforth engrossing his time to the exclusion of other issues.

Great as General Walthall was in time of War it was amid the gloom of failure and defeat that his character shone brightest.

The inspiring leader of his soldiers in battle, under the new and changed conditions which defeat brought them, he was their comforter, consoler, friend, the first to beg them to wring hope from desolation and to feel that "Defeat may be victory in disguise." He not only taught them by precept but by his own brave example showed them that renewed hope and earnest endeavor will surely bring success.

It was in his vine-covered cottage at Grenada, after the nation had acknowledged his greatness and offered him her choicest gifts that the writer of this article had the proud privilege of calling General Walthall "friend" and some of the most valued memories of life are cherished in connection with that period, all too short lived. His domestic life is too sacred to be brought before the public gaze, but as is well known it was in his home that his character shone in its fairest light. In that home he had a generous welcome and splendid courtesy for those whom he honored with his friendship—that home itself the type of a class now fast disappearing—elegant, simple, hospitable, inviting. He loved literature, had read many books—among them that one called "human nature"—and thought much. His judgment was rare and remarkable and he seldom made mistakes along that line. Men turned to him instinctively for counsel and advice and he always responded quickly, generously, sympathetically. In the Senate of the United States he well sustained the reputation that had preceded him there, his great ability as a lawyer and a soldier, his devotion to duty, his high purposes and the purity of his life, rendering him a conspicuous figure even among that body of eminent statesmen. That which endeared him most, however, to those who knew him best was his thoughtful consideration for others, his readiness to sacrifice himself for his friends and his kindness and tenderness for all who were suffering or in distress. On

the terrible retreat from Nashville, he took his own blanket and folded it around a wounded soldier, himself spending the night, without shelter, on the frozen ground. In the intervals between spells of delirium, during his fatal sickness, his kindly consideration for others caused him to say:

“Tell Mr. Spooner, with whom I am paired, that it is unfair to him to lose his vote on important questions while I am sick, and that he is at perfect liberty to vote as he deems proper.”

His last appearance in the Senate was made when he was so weak that he was hardly able to walk. He went in response to his convictions of duty, against the advice of his physicians, and the wishes of his friends and family. The occasion was one which called forth the tenderest feelings of his nature, the Memorial Service to his late colleague and friend, Senator J. Z. George, of Mississippi. He poured forth his great, tender soul into an eloquent tribute to the memory of his departed friend, and, like the death song of the swan, his parting spirit lent sweetness and strength to its notes.

Two weeks from that day, on the evening of the 21st of April, 1898, his noble spirit crossed the river of death, the harbor bar was passed, and none who knew him will doubt that he found a kindly welcome on the other shore.

LIFE OF GENERAL JOHN A. QUITMAN.

BY ROSALIE Q. DUNCAN.¹

Major General John Anthony Quitman was born in the low, stone parsonage in the quiet Dutch village of Rhinbeck, N. Y., September 1st, 1799. His father, Doctor Frederick H. Quitman, was a learned divine in the Lutheran church. His mother was Anna Elizabeth Huecke, the gentle and amiable daughter of the Dutch Governor of Curacoa, one of the West Indian islands, which was a province of Holland. The gifts with which nature had so generously endowed young Quitman were soon marked by his erudite father, and he, believing the church the highest profession to which a life could be devoted, began

¹ Mrs. Rosalie Quitman Duncan, daughter of Gen. John A. Quitman, was born at Monmouth, near Natchez, in 1840. Her maternal grandfather was Mr. Henry Turner, who was born in Fairfax county, Virginia, and afterwards became a prominent planter in Adams county, Mississippi. Mrs. Duncan grew to womanhood amid the pure, refining influences of an old Southern home. She was married in June, 1861, just after the first guns had been fired in the great conflict which deluged the South in blood. Her husband, Mr. William P. Duncan, a Pennsylvanian by birth, was a brother of Gen. J. K. Duncan, who commanded forts (Jackson and St. Philip) below New Orleans in the War between the States. Mr. Duncan was an engineer by profession, and was superintendent of the New Orleans and Carrollton railroad at the time of his marriage. He served subsequently on his brother's staff and at the fall of New Orleans was temporarily transferred to the staff of Gen. Mansfield Lovell. He then accompanied Gen. Lovell to Camp Moore, on the New Orleans and Jackson railroad. A few months later he died of typhoid fever in Mobile.

Upon the death of her husband, Mrs. Duncan returned to Natchez, where she remained with her three sisters in the old home until the close of the war. At one time Monmouth served as the military headquarters of a Federal brigade, the soldiers being camped upon the front lawn and yard, while the owners of the property were relegated to the upper part of their own home.

With the return of peace, Mrs. Duncan devoted her energies to directing the training and education of her son. He finally graduated with the honors of his class in the School of Mines in Columbia College. His career, though full of promise, was a short one. After two years of mining experience in Colorado, where his work near Leadville decided a very important lawsuit over the title to a mining claim. He then returned, at the solicitation of his mother, to Mississippi, and died shortly afterwards of typhoid-malarial fever. Just before this event Mrs. Duncan had purchased the old home (Monmouth) near Natchez, where she still resides with two of her nieces, who constitute her family.

—EDITOR.

to shape his son's education and studies at an early age to this end. As the years passed, however, and the youth grew to manhood, his talents were turned into other channels, and in 1820 we find him vigorously pursuing the study of law in what was at that time the little western town of Chillicothe, Ohio.

In those early days there was little to attract an adventurous mind to and still less to keep one in a small interior town such as Chillicothe, where money was scarce and the conditions of life hard. The South with her benign climate, her possibilities of amassing wealth, the generous character and social hospitality of her people, seemed to beckon most alluringly to the young man. From early life he had a yearning for the South, inherited perhaps from his West Indian mother, who never became reconciled to the long, dreary winters of her adopted home in Rhinebeck, and who according to family tradition died of a broken heart for the beloved home of her youth in Curaçoa. This yearning of the youthful Quitman to push farther South was strengthened by his friendship with Mrs. Griffith, of New Jersey, a lady of unusual character and ability, whom he met with her husband, Judge Griffith when on his way to Ohio. Travel was primitive in those days, and the traveler was often made to depend upon his own resources for the best way to accomplish his journey. The Griffiths were on their own "keel boat," and were moving slowly forward under the management of their own slaves, on their way to Natchez to visit their two sons, both of whom were prominent lawyers of that town. An invitation was extended to young Quitman to join them, and this led him to make his final decision to cast his fortunes in Mississippi. His own subsequent journey to Natchez, which was afterwards performed partly on horseback through almost a wilderness, and in the most rigorous weather, reads like a romance.

In Natchez he became legally associated with Mr. Wm. B. Griffith and rose rapidly in his profession, soon becoming one of the leading members of the Mississippi judiciary and reaching the highest position the State could offer. When in the legislature "he effected many reforms in the chancery and courts of law, and in various branches of the State government." Being invited to prepare a "militia code" for the State, he gave to it a great deal of earnest labor and when it was adopted re-

fused all compensation for his services. In consequence of this, on proposal of Mr. J. F. H. Claiborne (member from Adams county) the legislature presented him with a "splendid" copy of *Jefferson's Works*.

On December 24th, 1824, he married Eliza, the only daughter of a wealthy planter by the name of Henry Turner, who was a native of Virginia and who belonged to the Fielding and Lewis families of that State, names now closely identified with the family of Washington. The result of this union was the establishment of a home just outside the city of Natchez. Here amid the elevating influences of high moral and religious culture, and the purity and beauty of a bountiful Southern nature, a family was reared and grew to man's and woman's estate. Here was also developed the tenderness of the father for his children and the guidance of their innocent minds towards the highest and noblest qualities that build character.

Being an ardent lover of nature himself, he directed his children at an early age to love also the great mother, and through this in later life to receive consolation in sorrow and always pleasure in the ordinary course of life. So the return of the constellations which marked in the heavens the annual return of the seasons, the flight of the wild cranes and geese in the spring and fall, the first robin in winter and the first fire-fly in summer were always eagerly looked for.

On the death of Mr. Griffith, my father took as a partner in his law office the Hon. Jno. T. McMurran. They had met in Chillicothe, where they formed a friendship that lasted through life.

In 1835 he wrote to his brother, as follows:

"To show you that I am not wasting the prime of life in ignoble ease, I may mention that I am a Senator in the Legislature, President of the State Rights Association, President of the Anti-Abolition Society, of the Anti-Gambling Society, of the Anti-Dueling Society, of the Mississippi Cotton Co., of the Railroad Company, Director of the Planters' Bank, Grand Master Mason, Captain of the Natchez Fencibles, Trustee of Jefferson College and of the Natchez Academy, besides having charge of a cotton and sugar plantation and 150 negroes. * * * I have a higher ambition to be a useful member of society than to bear a more conspicuous and sounding title."

It was at this time that Texas was fighting for her rights. The fall of the Alamo called for the cause of liberty and glory to be avenged. Capt. Quitman wrote to his brother that

"Freeman who are struggling for their violated rights should not be left to struggle unaided." With such sentiments it was impossible for him to consider his own comfort. With a company of young men, enthusiastic in the cause of freedom for the oppressed, he soon left Natchez for the seat of war, ardent in the hope of confronting Santa Anna and his 6,000 troops. This expedition was full of romantic adventure. Like the knights errant of old, Capt. Quitman and his company took up their arms to redress the wrongs of the weak and helpless, and to protect the homeless women and children. With the capture of Santa Anna the war in Texas was virtually ended, and the brave "Fencibles" with their leader returned to Natchez, he having paid the expenses of the expedition from his private purse.

In 1839 having been appointed to negotiate the bonds of the Planter's Bank and to arrange for the completion of the Mississippi Railroad, General Quitman sailed from New York to Liverpool. Owing to the pressure of the times, the low value of American securities and the mismanagement of the railroad corporation in his absence, his mission was not successful. His long voyage was, however, full of interesting incidents.

Returning home, he devoted himself anew to his profession, made especially necessary at this juncture by his peculiar financial embarrassments. He had gone security for friends for \$40,000, all of which large debt it devolved on him to assume. He had also endorsed paper for another friend for \$24,000. As his own obligations were of small account, a lucrative practice soon enabled him to stand a free man once more. No man had a greater horror of debt, and yet when these obligations were paid off, his generous mind held no one to account for the heavy burdens he had borne.

In 1845 we find him deeply interested in all the constitutional and political interests of his adopted State, working only for what he considered the best interests of her people. In 1847 he was President of the Board of Trustees of Jefferson College, and became one of the founders of the State University. Politically he was always a Jeffersonian State-rights man and never swerved from these principles. While he was not a confirmed member of the Church he was naturally of a religious disposi-

tion and his conduct was ever marked by the deepest reverence for all sacred institutions and subjects.

When war was declared against Mexico in 1846 Gen. Quitman made a formal tender of his services to the President. This was strengthened by an application in person for the appointment by John C. Calhoun of South Carolina, while the members of Congress from the same State still further urged it. The pressure was made greater by appeals from the Governor, Senators and Representatives of Mississippi, aided by men of prominence from Louisiana and Texas, all of whom urged the appointment. Under such combined pressure he received the appointment of Brigadier General of Volunteers and joined Gen. Taylor at his headquarters at Camargo, a Mexican town on the right bank of the San Juan river. In his diary he describes Gen. Taylor as "farmer-like, frank and friendly." On May 12th, in acknowledgment of his bravery and ability at the battle of Monterey, Gen. Quitman received his commission of Major General, and although now aware of ranking as senior of Brevet Major General Worth, he was restrained from contesting his rank by his appreciation of the talents of that officer, and the fear at such a juncture of detracting from the dignity of the service. In his *Life and Correspondence of John A. Quitman*, Mr. Claiborne states that "his modesty withheld his claim and he cheerfully acted under the orders of Gen. Worth." These two distinguished generals maintained towards each other during the war and afterwards the most friendly relations and utmost magnanimity.

Time and space forbid dwelling on the brilliant details of the Mexican campaign that no subsequent war has dimmed. The advance of the victorious army of the Americans through a hostile country, where the enemy numbered as ten to one, was marked by the surrender of one stronghold after another to a force which, though small in numbers, seemed well nigh invincible. As a last effort Santa Anna had amassed his troops in and around the city of Mexico and to this point the American General directed the march of his intrepid army.

"Molino-del Rey," the outpost of Chapultepec, was gained at a great loss of life. Chapultepec was then to be taken. This fortress and castle, key to the city of Mexico, like the Acropolis at Athens, commanded an almost impregnable position. Sit-

uated on a rock 150 feet high (Col. G. F. M. Davis says 500 feet above the level of the plain) it is a "frowning pile of masonry," dating from ancient Spanish times, and was by the Spaniards considered impregnable. A succession of batteries planted on its rugged sides assisted its natural defense. It stands 4,656 feet from the Belen gate. At the base of Chapultepec stands a grove of cypress trees, its chief glory being a tree 41 feet in circumference—thought to be hundreds of years old—under whose grateful shade Montezuma, the aztec king, is said to have screened himself from the burning rays of the sun. To storm and take this redoubtable pile was one of the most brilliant feats of the war. Gen. Pillow commanded under Gen. Worth the ascent on the western side, while Gen. Quitman was to attack "the more formidable works on the southeast." Advancing by the Tacubuya causeway, steadily they marched, steadily fought, under storm of grape and musketry. The toilsome ascent had no protection, but on the contrary their progress was hotly contested by fire and blood, as one battery after another was encountered and passed, while the steep pathway bristled with thorny cactus plants that brought additional pain to the footsore and weary soldiers. Many a gallant man yielded his life for his country's honor. The brave New York regiment was cut to pieces, and the Palmettos of South Carolina were even more exposed. The lion heart of their commanding general could brook no defeat and his troops loved him as they knew it. It was the brave Seymour of the New Yorkers under Col. Burnet who tore down the Mexican flag and hoisted in its place on the battlemented walls the colors of his regiment. Almost immediately the Palmetto flag waved alongside. Both of these belonged to Gen. Quitman's command. The Mexican general surrendered his sword to Lieut. Brower of the New York regiment. Orders had been issued by Gen. Scott that Gen. Worth was to effect an entrance into the city by the San Cosme road, a longer route, but under better protection and smoother, easier to travel; while Gen. Quitman's division was to march by the Tacubuya causeway, a shorter but more exposed and dangerous route, and storm the Garita de Belen, which constituted the other western gate that led into the city. The night preceding the march was spent by the general in sending reports and messages to General Scott as to his future move-

ments. These were carried under great risk by his intrepid aid, Lieut. Mansfield Lovell, whose horse to gain a pathway, had to leap in the darkness of the night over the dead bodies of the slaughtered men, and who was in continual danger from sharpshooters. General Lovell (who was then Lieutenant) never forgot that night and from him I often had a graphic description of it. The march along the causeway was desperate work, and every man became a hero, as through morass, fire and smoke, he fought his way to the powerful batteries of the Belen Gate. This was the most brilliant achievement of the Mexican War. Gen. Quitman reorganized his column with a calmness that makes men great in the face of danger. Silent and determined, he led his troops under the canopy of smoke, in the roar of the guns and the groans of the wounded and dying men as it were into the very "jaws of death." It was in one of the hottest parts of the fight that "Harry," the faithful body-servant and slave, approached his master with a bowl of chicken broth and urged the General to eat it, as he had had nothing for over twenty-four hours. Let me here add that as a reward for the faithful servant's devotion, the 13th of September never returned that "Harry" did not receive a five dollar gold piece. The gallant Major Loring fell wounded just outside the gate, it was then that Gen. Quitman, seizing a rifle fastened to it his own red silk handkerchief (still in the possession of his family, a treasured relic) and waving it over his head urged on the assault, the troops responded with a "wild cheer" and followed their leader, as Mr. Claiborne says, through a "hurricane of fire," driving the enemy from his guns. Gen. Quitman "black with smoke and stained with blood leaped upon a battery and called for a flag." Lieut. Sellick, a Carolinian, sprang forward and planted the Palmetto colors above the Belen Gate, but paid the price with his life. He fell, struck by a bullet, under the folds of the victorious banner. The battle lasted from noon until dark on the 13th of September. At dawn on the following day, the General, weary, footsore, with the rim of his hat shot away, with only one shoe on, marched at the head of two or three regiments, a victorious remnant, into the evacuated and silent city of Mexico. Lieut. Beauregard's *Report* says the clock struck seven as the troops drew up in line on the Grand

Plaza in front of the Cathedral, and the American flag was planted on "the palace of the Montezumas."

The Mexicans had evacuated the city the night before, and the deserted streets and barricaded houses were silent. Lieut. Beauregard was the first to convey news of the victory to Gen. Scott, whom he found with his staff near the San Cosme and Chapultepec roads. At 8 a. m., an hour later, Gen. Scott with his officers was received on the Grand Plaza by Gen. Quitman with the highest military honors. Gen. Scott at once appointed him civil and military governor of the city of Mexico, with headquarters in the Palace of the Montezumas. There has arisen in these later days an erroneous belief that Gen. Worth was the first American general to enter the conquered city, but the facts of history are that Gen. Quitman with his troops marched into the city just after daylight on the morning of the 14th of September, and that by 7 a. m. the American flag floated from the highest point of the palace. Gen. Worth *did not* enter the city until 8 o'clock, an hour later, coming in by the San Cosme Gate. Both were brave leaders, but honor should be given to whom honor is due.

One of the first acts of General Quitman as Governor of the city was to establish law and order. Anything like rapine or robbery was severely punished. Mexican ladies of the first rank did not hesitate to appeal to his benevolence and clemency, nor did they appeal in vain, and his own private purse was liberally expended, says Col. Geo. T. M. Davis, his private secretary, in the cause of the needy and suffering.

The taking of the city ended the War with Mexico. The victors returned home to be the heroes of the country, to receive ovations, to be feted and honored, and to receive much public demonstration from their justly proud fellow countrymen. Three swords were presented to Gen. Quitman for his gallant services. In a letter of that time, he says:

"The gales of popular favor have blown strong upon me, * * * if I must incur the hazard of a storm, give me a wide sea and flowing sail, I would rather go down gloriously, engulfed by a mountain wave on the great deep than be swamped in the surf of the sea shore. My receptions everywhere have been enthusiastic * * I have declined over 100 invitations to public dinners and ceremonies."

Some years afterwards Mr. L. A. Bargy (Mudil Braig) wrote in his honor the beautiful ballad "The Taking of the Gate" that was published by Harper and Co.

Having dwelt at some length on the Mexican campaign as the most brilliant period of my father's life and fearing I have already transcended the request to be "concise," I will now give only the leading facts of his subsequent life.

In 1849 he was nominated and elected Governor of the State of Mississippi, and on the 10th of January, 1850, was sworn into office. From this time on his political career, his love for the South and her people, his faithful discharge of duty in her interest, his abhorrence of all chicanery and duplicity in politics are well known in the history of his time.

Though no disunionist his clear foresight and unclouded vision saw the conflict of the future that was so soon to rend the country. He foresaw the aggressive policy of the North, the compromises forced on the South could not but lead to a crisis and that this was the dark cloud ahead on the horizon of the country. His lament was that the coming struggle would not be in his day, but would fall upon his children. As a child, after hearing him talk on this subject, I can remember the disquieted anxious feeling that would come over me, and I could not understand why he should feel as he did when all things seemed so calm, so serenely at peace in our lives and home. But, alas! he knew better than I. A few years later and the same home was taken as headquarters by our dire enemies, and a rough soldiery telling us we had "bad names" took whatsoever they wanted.

My father's public life naturally brought him in contact with many noted men of his day. His personal and public relations with Gen. Scott were always of the most flattering nature and their mutual esteem was the most sincere. This was shown to his family after his death. Frank Blair and Robt. J. Walker were also his warm personal friends. Among these must be also mentioned Judge Butler of South Carolina, Senator Brooks from the same State, Col. G. M. T. Davis of New York and Col. Burnet and Gen. G. W. Smith. Among the younger men were Generals Joseph E. Johnston, Braxton Bragg, Beauregard, Mansfield Lovell, Cadmus Wilcox, and Generals McClellan and Hooker ("Fighting Joe") of the Federal service.

In 1855 Gen. Quitman was elected to Congress to represent the Fifth Congressional District of Mississippi. He was appointed chairman of the Military Committee, a position he held

throughout his double Congressional service. In 1857-'8 his health visibly began to fail. He had occasionally taken a meal at the National Hotel in Washington, and his friends thought that he, too, was a victim to the mysterious poisoning that many of the habitués of the hotel died from. Notwithstanding his visibly declining strength he still kept to his post of duty and was never absent from his seat throughout the disquieting discussion that gave admittance to "Bleeding Kansas" as a State.

The closing scenes were now gathering fast around him. On the final adjournment of Congress, though ill able to travel, he started for Natchez and home. Devoted friends assisted him on the weary journey when he seemed too feeble to move without assistance. When he reached Natchez on the morning of the 21st his lifework he had discharged so ably and so faithfully was ended. He was an ill man and never rallied from the comatose condition into which he gradually sank. His friends felt that his life had been sacrificed to duty. On July 17th, 1858, at half past 5 p. m., his noble spirit passed into another life, there was no "moaning at the Bar," he left so quietly as if falling asleep. His age would have been fifty-nine the following September. He was buried at Monmouth with civil, military and Masonic honors. Since then the family burying ground has been moved to the city cemetery, and in the sacred enclosure, surrounded by those he loved, now sleeps the brave, the noble hero of the Garita de Belen.

BIBLIOGRAPHICAL NOTES.

The leading speeches of Gen. Quitman in Congress were:

The Powers of the Federal Government with Regard to the Territories.

The Subject of the Neutrality Laws.

His principal Biography is:

Life and Correspondence of John A. Quitman, by J. F. H. Claiborne.

Portions of his Mexican Campaign will be found in the Autobiography of the late Col. Geo. T. M. Davis, of New York, and in a History of Gen. Cadmus Wilcox.

Some pamphlet sketches of his life are also in the possession of the family. A brief biographical sketch of Gen. Quitman will also be found in Goodspeed's *Biographical and Historical Memoirs of Miss.*, Vol. I., pp. 673-'5. Also Appleton's *Cyclopaedia of American Biography*.

T. A. S. ADAMS,
POET, EDUCATOR, AND PULPIT ORATOR.

BY DABNEY LIPSCOMB.¹

"As a thinker, a scholar, and a profound preacher, he was above us all." Such was the generous tribute of a member of the North Mississippi Conference to the Rev. T. A. S. Adams, D. D., on the announcement of his sudden death in Jackson, December 21, 1888. "As the author of *Enscotidion* is destined to take a high rank among the poets of America" are the opening words of the Introduction written for that book by Dr. R. A. Young, of Nashville, Tennessee. These quotations indicate the rank and reputation of Dr. Adams among the Methodists in and out of his native State. Outside his own church the attainments and services of this poet-preacher and learned educator are too little known; and it is to introduce him more generally, and to place him on record more prominently as one of the most remarkable men that Mississippi has produced, that space for this paper is asked in the Publications of this Historical Society.

From personal acquaintance and attendance on his preaching, from conversation and correspondence with those who knew him best, from careful study of his two printed books of poetry, and from manuscript sermons, poems, and miscellaneous writings, to which he has had full access, the writer has drawn for the contents of this sketch of the life and estimate of the worth and the work of Dr. Adams. Particular attention will be called to his place in the history of education and literature in the State rather than in its church history; for his services in the former are as notable as in the latter, but being less conspicuous have not been so generally perceived and appreciated.

According as the ancestral or the personal equation is most important in the solution of the problem of their character and work, men figuratively are said to descend or ascend from their

¹ A biographical sketch of the author of this contribution will be found in the *Publications*, Vol. III., p. 127.

ancestors. Genealogy in some cases is, therefore, more to be considered than in others. Distinction in some men comes evidently through the magnifying chiefly of family traits and traditions. Others seem to break almost completely with the past, and through individuality of endowment and self-development attain to prominence. The more complex and symmetrical the character, the more difficult is the analysis.

Inheritance and early environment were factors too important in shaping and coloring the character and life of Dr. Adams to be dismissed with a cursory glance. Welsh-Irish by descent, unbroken for at least three or four generations back, Celtic temperament and cast of thought find in him a striking example, affecting strongly as will be seen his whole life work. His great-grandparents emigrated from Ireland to South Carolina about the year 1766. They were land owners and Protestants in that island. Francis Adams, the grandfather of Dr. Adams, was six years old at the time. Later he served under Sumter in the Revolution, and returning home married Margaret McKee, who, like himself, was Irish by birth and Presbyterian in faith. Thirteen children were born to them at their home near Camden, South Carolina. One of them, Abram Adams, was born in 1791, and seems to have been as stout a patriot as was his father; for on hearing the news that the British were ascending the Potomac, in the War of 1812, he at once enlisted in the United States army for five years, and served out more than the full term. Distinct traces of this service remained ever afterward in the thought and bearing of this noteworthy man. History and government were his favorite topics, and even in the abstractions of philosophy and theology he often took peculiar pleasure. He found in Nancy Gooch Morgan, daughter of Dr. Lemuel Morgan, of Welsh descent, a devoted and helpful wife. With her and five children he moved in 1834 to Noxubee county, Mississippi, buying from the Indians the farm on which he lived until his death in 1869. In purchasing from the Indians rather than from the Government, from which for services in the War of 1812 he could have claimed a homestead, he reveals something of his character. He paid three times the market price, but claimed that by so doing he secured "a better title" to his land. Uncompromising in his integrity, detesting fraud and hypocrisy, always grave,

moody and even melancholy and irritable at times, he was to his neighbors "a strange man." His family loved and revered him, for they knew that he was true and just in spite of apparent austerity of mien and speech.

Such a man was Abram Adams the father of Thomas Albert Smith Adams, the subject of this sketch, who was born at the Noxubee home, February 5, 1839, and named for a general under whom his father had served as soldier in the United States army. The acute, speculative intellect, mercurial temperament, and patriotic spirit of the father were reproduced in the son. From the mother are more distinctly traceable his unwonted energy, religious bias, and indomitable will power. To them both Dr. Adams paid a loving, admiring tribute in his journal under the dates respectively on which he received the news of their death, gratefully acknowledging his indebtedness to them and graphically portraying the character and to some extent the life of each.

Ten of the fourteen children of this family lived to the age of twenty-one; and, as the journal referred to states, in fulfillment of their mother's chief desire, every one of them became an active member of the church. Two of the brothers still live at or near the old homestead; and from the eldest, Mr. Lemuel Adams, an interesting account of the family was received.

Space cannot be asked for more of the family history than is required to show the influences that chiefly affected the early life of T. A. S. Adams, in whom, as has been indicated, inherited traits and tendencies were strongly marked. In his life may almost as clearly be seen the influence of that well ordered, busy, religious country home. Not wealthy, but comfortably well off, the boys and girls were trained to work; parental example and precept encouraging in the children habits of thrift and economy. Their mental training, meanwhile, was not neglected; for an excellent teacher was employed for the school near by. His services were engaged for five years, Mr. Adams and a neighbor guaranteeing the compensation agreed upon. Under this worthy, and it seems very capable teacher, Mr. Hubbard by name, in an old-field school, the future scholar and poet learned the elements of a liberal education and acquired, doubtless, correct habits of study and that insatiable thirst for knowledge which remained with him through life. A full, graphic,

and rather humorous description perhaps, of that very school is given in the seventh chapter of his poem entitled *Aunt Peggy*. The following lines are suggestive:

“The school-house of the pioneer!
No modern look has it to wear;
No walls with maps and pictures hung,
To fascinate or teach the young;
No desk on which to carve a name
Or chalk its owner into fame.

The chimney, broad and deep, was good
To hold a half a load of wood;
And round it half the school might gather
To bake their shins in wintry weather;
Far healthier this than in a room
Where stoves dispense their sick perfume.

God made the great men—schools may grow
Or sink to ruin—be it so!
But while the sky is overhead
And boys o’er hill and valley thread
The pathway to the old field school,
Not every man will die a fool.”

But other influences were indirectly, perhaps unconsciously, making indelible impressions on the mind and character of the boy. Life was gradually taking on a richer, fuller meaning; he was beginning to see visions, to dream dreams, and to feel

“A presence that disturbed him with the joy of elevated thoughts.”

The old home on the hill, with its spacious rooms, wide hall, long gallery in front, and the fine view from it northward across the prairie to the woods that skirted the river a mile or two away—all must have early made strong appeal to his sensitive, poetic nature. And what may have been the effect of his contact with the Indians still living near, with their tales of hunting and of war, it would be difficult to estimate. Plantation life to a Southern boy then meant largely companionship with the negroes, seeking adventure with the young and listening eagerly to the marvels and superstitions of the old. That all these things affected him early and lingered with him long may be gathered readily from his poetry and narrative prose. The dream of a negro boy who was his playmate he transformed into a youthful epic, which he later used as the germ of his greatest poetical production. It is said that he often thus amused and astonished occasionally his family and friends with his boyish attempts in verse.

The next event of special significance in the life of T. A. S. Adams occurred in his eighteenth year. Like his father and grandfather before him, the military spirit grew strong within him on approaching manhood; and he was preparing to enter the United States Military Academy at West Point, having secured a cadetship through the influence of William Barksdale, then a Congressman from Mississippi. But in the midst of his preparations there came a sudden revolution in his nature and his plans. While in attendance on a great camp-meeting that summer, he was profoundly convinced of a call to preach. License was granted him by the Methodist church of which for several years he had been a member. Accordingly, as a student preparing for the ministry, T. A. S. Adams in September, 1857, entered the University of Mississippi and was admitted to the Sophomore class. His brother, Joseph Miles Adams, came with him and joined the same class. The records of the University show that the young candidate for the ministry was an excellent student, particularly in rhetoric, literature, and the languages. Unexpectedly, but with an honorable dismissal from President Barnard, he left the University of Mississippi in October, 1859, and entered the Senior class at Emory and Henry College in Virginia. There his literary ability, eloquence, and high standing as a student soon gained for him the title of "Poet, Orator, and Divine," which clung to him through life with increasing appropriateness. In June, 1860, he graduated with distinction in a class of sixteen.

His marriage to Miss Susan Smith, of Emory, Va., took place on December 20, 1860. Until his death she heroically shared his toils and trials, and sympathetically sustained and cheered him in his periods of disappointment and despondency. She survives him and now lives at Emory, her paternal home. To her the writer is indebted for valuable assistance in the preparation of this paper, and especially for the privilege of access to her husband's journals, manuscript sermons, poems, and miscellaneous writings.

Life now began in earnest with the gifted and well educated young candidate for the ministry, but apparently not as he anticipated. With his young wife he spent the greater part of 1861 in Mississippi, engaged in school teaching. The War came, and his patriotic and soldierly instincts asserted them-

selves again. He at once joined the Eleventh Mississippi Volunteers as a private; and later became chaplain of the regiment. One of the most interesting of his note books is dated Camp Fisher, February 16, 1862. When the notes were made is uncertain, as there is no date in them except that on the fly-leaf. The following enumeration of the principal contents of this book will serve to indicate the thoroughness and breadth of his scholarship: Discourses on the Providence of God and the Finitude of Mind; a poem to his brother Abram; sixty pages of notes in Hebrew, Greek, and Latin on the Book of Proverbs; similar notes on the first seven chapters of the Book of Job; thirty pages of Italian vocabulary; and a page of aphorisms from Carlyle. An understanding of the nature, range, accuracy and systematic method of his researches could hardly be better given than by an examination of this note book, prepared though it was only for private use.

Sixteen months of army life ended in the breaking down of his health and his consequent return to his old home in Noxubee county, Mississippi. He there relieved his aged father of much of the burden of farming, and besides taught for a year or more the neighborhood school. What, with maturer mind and ripper knowledge and experience, return for several years to his childhood country home at such a time meant to him, and how thereby his poetic and philosophic tendencies may have been accentuated may be surmised but not exactly told; for there is little record of that period of his life.

In 1865 he joined the Mobile Conference, to begin anew the work to which he had dedicated his life ten years before, and to which he continued to give his first allegiance. That so much of his time was subsequently spent in teaching instead of preaching was, as he explained, more by the choice of the church than of himself. Only the leading events of his busy, changeful life will here be given; on which, as a background, the preacher, the educator, and the man of letters may be portrayed.

It will perhaps be somewhat surprising to learn that from 1868 to 1870 Mr. Adams was again in Virginia teaching school. In 1870 he rejoined the Mobile Conference and was stationed at Forkland, Alabama. The North Mississippi Conference was organized that year; and, joining it, he became the pastor dur-

ing 1871 and 1872 of the church at Greenville, Mississippi. A movement to establish a Methodist high school in each presiding elder's district about this time resulted for Mr. Adams, whose reputation as a scholar had become well known, in his appointment to the charge of the district high school located at Black Hawk, Miss. He was at the same time assistant to the preacher on that circuit. Three or four years at Black Hawk as preacher and teacher were followed by two at Kosciusko in similar double occupation. His reputation for learning and pulpit eloquence was during those years growing rapidly. As a poet and as a frequent contributor to the various church papers, he was also attracting interest at home and abroad. *Enscotidion; or, Shadow of Death*, a lengthy poem of great originality and in parts of rare beauty and power appeared in 1876. The nature of the poem, and perhaps its learned title, prevented a more popular reception; but by careful readers of ripe scholarship and poetic taste it was regarded as a poem of unusual merit, as was indicated by a quotation in the opening paragraph of this paper. Fuller reference to this remarkable production will be made before closing. Discouraged, it appears, in his efforts to establish at Kosciusko such a school as he designed, he sought for a return to the regular pastorate; and by Bishop Keener was appointed to take charge during 1878 of the Columbus church, one of the leading stations in the Conference. Hearing that there was objection in this church to his appointment, he went reluctantly to the work. Whatever objection there had been at the beginning was soon largely removed by his ability in the pulpit. But he seems not to have understood the change in attitude of his church, and apparently welcomed an opportunity of severing his connection with them. To their surprise and to the regret of his friends, in less than three months, he resigned this charge to accept the Presidency of Soule Female College at Murfreesboro, Tennessee. From 1880 to 1885, he is again at Kosciusko, at the head of a seminary for young ladies, preaching on Sundays in the town or the adjacent country, and still busy with his pen. *Aunt Peggy, and Other Poems* came from the press in 1882, and in the same year he was pressing vigorously the movement for the establishment of a Methodist male college in the State. He was also one of the delegates from his Conference to the Gen-

eral Conference of the church which met that year at Nashville, Tennessee. The degree of Doctor of Divinity was conferred on him in 1884 by his Alma Mater, Emory and Henry College. In 1885 he left Kosciusko, having been appointed to the presiding eldership of the Holly Springs District. Again, after a few months of service, he was called from the regular ministry to a college presidency, this time to the presidency of Centenary College, Louisiana, and pastorate of the town church.

His plans for building up this college seem to have miscarried; and losing confidence in its future, he resigned the Presidency in 1887. That year he had the honor of being the poet of the Semi-Centennial Celebration of his Alma Mater, Emory and Henry College, and acquitted himself well in the noble, thoughtful verses with which he commemorated that interesting occasion.

Still adhering to his long-cherished idea of a Mississippi Methodist male college, before leaving Centenary College, he purchased in 1887 property in Jackson, Mississippi, for the purpose of establishing a high school, which he was encouraged to hope would be the nucleus for a Methodist college in the future at the capital of the State. Two young men were employed as teachers, and the school was conducted by them until February, 1888. But the prospect of the endowment expected being soon cut off, and competition as a private high school with the new public graded school being impossible, Dr. Adams relinquished his college idea, closed his school, and again sought regular pastoral work.

The year 1888 finds him on Richland circuit in the Winona District of the North Mississippi Conference, spending, as he reported at the Conference in December, the happiest year of his life. Doubt as to his future course and despondency over disappointments had passed away; and in genial, almost joyful mood, he met and mingled freely with his brethren to their delight and edification. His sermon on John 1:10 made a deep impression on the Conference. In cheerful mood, he returned to Jackson to pack his goods, preparatory to leaving as soon as possible for Oxford, his new appointment. Ruddy, robust, vigorous, and hopeful, many years of usefulness and honor seemed yet in store for him. But his sun was about to set at:

noon. The sad and sudden end came on December 21, 1888, in the freight depot at Jackson, Miss. He was waiting at the desk for a bill of lading when, from a stroke of apoplexy, without a word, he sank lifeless to the floor. Eloquent tributes to his memory were paid by Bishop Galloway and Dr. Murrah the next day in the Methodist church in Jackson, after which his remains were sorrowfully laid to rest in the city cemetery.

So lived and died a man eminent for ability and for service to his church and state; an honor and ornament to both. Above the medium in height, stalwart in frame, head shapely and well poised, brow ample, features noble, eyes soulful and speaking, thus he appeared as he moved among men. Simplicity, neatness, economy, and industry were his cardinal secular virtues, and he practiced them continuously, or rather seemed to live them unconsciously. Usually placid and genial, he was sometimes sensitive and melancholy, hasty and prejudiced. An understanding of his intensely emotional and imaginative nature is essential to a right interpretation of his life. His independence, unconventionality, and rich vein of humor must also be taken into account in explanation of some of his singularities of thought and action. To those who knew him well or who have carefully read his writings, these statements need not be verified by illustrations which might be given if space permitted. Dr. Adams, it should be also said, was warm of heart as well as strong of intellect. Of children he was extremely fond, and to his friends he was lavish in his love and confidence. It is told of him that he was found one day sitting on the floor in the midst of a circle of children who had gathered at his home, entertaining them and himself so thoroughly as to be oblivious to the entrance of some ladies until they laughed and broke the spell. In explanation he simply said: "I have been to heaven for a little while," and quoted Luke 18:17. That he had no children of his own lends interest to the incident. "A great soul, a princely man, a noble friend" is the concise description of him by a leader in his Conference. But his reputation as a pulpit orator, his services in the cause of education, and his contribution to the literature of the State, his chief claims to distinction, must now be given a fuller consideration.

I.

It was as a learned and, at times, captivating and convincing preacher that Dr. Adams was best known and probably will chiefly be remembered. Originality, or more accurately perhaps, individuality in thought and style was one of his striking characteristics. He imitated neither the living nor the dead. Self reliant and intrepid as a thinker, he nevertheless prepared his sermons thoroughly. Many of them were written out in full with scarcely a blot or erasure in the final copy. His occasional talks and addresses were also often drawn up carefully and entered into a note book for preservation. His learning was introduced freely into his sermons, and yet so naturally and unostentatiously as seldom to offend. Rarely was he other than stimulating and edifying; though frequently he fell so far short of his conception of a theme as seriously to depress him afterward. This is especially true with reference to his extemporaneous efforts, in which more than most men he was affected by the circumstances of the occasion; likely, therefore, either to exceed or fall short of expectation. Except his noble presence and expressive eye, he lacked the potent, personal gifts of oratory; for his voice had not the range and flexibility nor his delivery the grace and power of a great speaker. Notwithstanding these limitations, which he evidently was conscious of, in his golden moods he could so marshal and irradiate his thoughts as to enrapture with their profundity and brilliancy.

Preachers and laymen of the North Mississippi Conference still talk of his grand missionary address at Holly Springs, of his wonderful sermon on "Moses" at the Ackerman district conference, of his last great effort at the Conference of 1888 on "The Rejected Christ," and of similar of his triumphs in the pulpit. The writer will never forget the sermon or the scene in that little frame church at Ackerman. The preacher, beginning so simply, grows keenly analytic and vividly picturesque, ascends gradually to lofty altitudes of thought and diction, and moves to the end with ease along the shining summits. The audience, at first respectfully attentive, becomes deeply interested, and then charmed and captivated follow him with strained ears and fixed gaze to the closing syllable. It was a great sermon, and a great hour for preacher and people.

Whatever the culture of his audience or the nature of the occasion, Dr. Adams, at his best, could more than meet the demands of the hour. As one of his scholarly brethren has well said, "He could preach with power at a straw-pen camp-meeting and to the delight of his audience on a commencement occasion." The secret of this adaptability lay in the spirit and the dominant purpose of the preacher. This could be readily gathered from his sermons; but in his own words it unmistakably recorded in an hour when he felt deeply his insufficiency for his high calling. In some jottings in a note-book under "Unaccomplished Purposes," he thus reveals his humility and aspiration: "The world is rolling on and people are rushing to their graves; thousands heedless of what is beyond. Can no voice reach them? Oh, that I could preach so as to make people *do*! My congregations are attentive, but how lifeless they seem to be in action. 'O Lord, it is time for thee to work,'"

Always evangelical, he was profound and luminous in exegesis and masterful in homiletics. Poetical and philosophical, spiritual and logical, scholarly and original—it is not surprising that he came to eminence. What heights he might have reached had he not so often been called from the pulpit to the school room, it is futile though interesting to conjecture.

II.

The cause of education was dear to the heart of Dr. Adams. Reference to the foregoing sketch of his life will show that nearly twenty of his best years were given largely to its advancement. From "keeping" a country school, through high school and seminary for young ladies, to college presidency, his experience ranged in this important field. It was peculiarly, almost irresistibly, attractive to him. But, whether his ideals were too lofty, his plans and methods impractical, or his estimate of results too low, there is little doubt that the large expenditure of his gifts and energies in this direction was unsatisfactory to him. At Kosciusko he succeeded best; and, with many of his pupils, the memory of their sainted, scholarly friend and teacher will be forever venerated. Growth, by voluntary, individual activity and contact of mind with mind, was to him a cardinal principle in education. He regarded the teacher as a friend, as well as guide, to the pupil in his explorations and ac-

quisitions in the realms of learning. Hence, the teacher should be approachable and ever ready to lead or point the way, but not always to smooth and straighten it, or to bear burdens which the pupils must grow stronger by bearing themselves. Family government as nearly as possible was his ideal for the school room and the dormitory. Character, culture, and inspiration, as well as discipline and knowledge, he held, should be kept in view in education. Such motives and conceptions of his work as a teacher, pressed with his wonted zeal, could not fail to bear rich fruit in the young lives that felt the impress of his character and the inspiration of his ripe scholarship.

His efforts as a Christian educator were not limited to his own school and locality. It has been mentioned that in the movement to establish conference district high schools he was an active participator. As the capstone for this system of church schools, he was among the first, if not the first, to propose the erection of a Mississippi Methodist male college. He urged the undertaking in addresses before the district conferences; and in the *New Orleans Christian Advocate* time and again he set forth in cogent arguments the need and the practicability of such an institution. His controversy with Drs. Mellen and Johnson on the subject in that paper grew spirited and rather personal. They differed chiefly with reference to the method of securing an endowment and the possibility of the enterprise in general. An extract from an article in the *New Orleans Advocate* of October 26, 1882, in which he replies to Drs. Mellen and Johnson, will perhaps serve best to show substantially the views of Dr. Adams on this question. As it will also reveal somewhat his personality and his style as a controversialist, the fullness of the quotation may be justified:

"If my sentiments are not popular, I can say they are mine, and that they came by inheritance and are inalienable and dearer than popularity; if not always complimentary to the rich and great, never scorning the honest or the poor. And here let me say to Bro. Mellen, Dr. Johnson, and all others that I have no spite or hatred against either Vanderbilt or Seney. But if I venture to suggest that we might do better than flatter Northern men for their millions by urging our own people to give their tens, their hundreds, and their thousands, wherein do I sin? * * * When a man in Mississippi [Dr. Vaiden of Carroll Co.], a few years ago, offered on certain conditions to give fifty thousand dollars, his offer was laid on the top shelf until he, being mortal, died. * * * Some attention bestowed in the nourishing of the spirit of liberality at home will, I think, pay as well in money and far better in self-respect than the course we have been pursuing. I here say in answer

to Dr. Johnson's question that I am not looking for a Northern donation; and, if offered, I should consult my wife at least twice about it. I would, however, under any contingency, as to the acceptance or non-acceptance of the million, feel that I had done more for my people by persuading them to give one hundred thousand than in securing the million. * * * * * Dr. Johnson calls the enterprise "T. A. S. A.'s Mississippi College." In one sense I appreciate the expression. But let everybody fully understand that I ask no ownership or position further than to be known as its advocate first, last, and forever. Had I my choice, and not under the constraint of a conscience not my own, I should, years ago, have sought the retirement of a farmer's life. I am a teacher now more by the choice of the church than of myself. This Dr. Johnson himself knows. If the college can be built, I am willing to be set so far in the background of its management that I shall not be officially known even on a conference committee relating to its interests. But still, if it be erected and Providence allows my eyes to look upon it, I shall feel better if Dr. Johnson and all the rest of the faculty will allow me to say it is mine—mine in association with struggles, tears, and toils undergone to achieve it; mine in the simplicity of its unadulterated love and nourishing care over my own home and kindred."

At his death, there seemed little hope that this dream of years of his and others would so soon become a grand reality; that only two or three years thereafter another great-souled Mississippian in the person of Maj. R. W. Millsaps would arise and by the offer of his thousands over against the tens and hundreds contributed by the membership of the church, in 1892, bring Millsaps Methodist College into existence. Would that he could have lived to see that day; aye, more, could now see how fully his ideals have been embodied in spacious grounds and handsome buildings into which gather hundreds of eager, noble youth to search under able leadership the fields of science, art, and literature. It is befitting that his dust should sleep in the burial ground near by, where the students of this Methodist college of Mississippi may visit and keep green the grave of him who plead so earnestly in their behalf for the educational privileges which they enjoy. On the grounds or in the halls of this college, always to be credited chiefly to Major Millsaps and Bishop Galloway, a suitable memorial might appropriately be erected to Dr. T. A. S. Adams, the learned educator and eloquent divine, who was the able "advocate first, last, and forever" of a Mississippi Methodist male college, but died unblessed with the sight of Millsaps Methodist College—the fulfillment by others of his hopes, his labors, and his prayers.

III.

As a man of letters more than as an educator, and even more than as a preacher, is Dr. Adams entitled to rank among eminent Mississippians. It may be said of him as truly as of Robert Louis Stevenson, that he was "irrepressibly literary." With Washington Irving, he could himself have said, "I have never found in anything outside the four walls of my study any enjoyment equal to sitting at my writing desk with a clean page, a new theme, and a mind wide awake." When at home, his time was almost wholly occupied in reading, writing, and manual labor. That he aspired to distinction in letters he did not attempt to conceal. Reference has been made to the contents of one of his note-books as indicative of the scope, system, and accuracy of his scholarship in early manhood.

For twenty years or more he continued in the same full, neat, and thorough manner to keep a record of his literary work of nearly every kind. This was his recreation, as well as method of training in the art of composition in prose and verse. It appears that he often wrote as the impulse prompted, merely to give expression to a passing thought or mood, but always as correctly as if it were intended for the press.

The contents of four or five of the ledger note-books which have been examined fall under the following general heads: statistics and memoranda, sermon notes, poems, prose miscellany, stories and legends, and language notes. Eight pages of *Idioms in Cicero* and in the same book as many more pages of special word study indicate his linguistic taste and habits of careful research. Even where his word studies do not accord with the authorities, his derivations and explanations of changed meanings are interesting as shrewd theories or poetic surmises. Master of three ancient languages and well versed in four modern languages besides his own, he was exceptionally well equipped for such study, and his facile and discriminating use of language bears testimony to this phase of his scholarship.

Bordering in nature on these language notes is an essay in the same volume on *Anecdotes and Traditions* presenting his views of their relation to each other and to history. A few quotations from this essay will probably be interesting to the readers, and it may be profitably suggestive to the writers, of Mississippi history.

"Traditions are a great bore to the historian. They are a lot of unlettered and unrefined rustics that push without ceremony into his presence, and will be heard in spite of his positive refusal to listen. Anecdotes are frequently traditions. Sometimes they are as well authenticated as state documents. Often they are fictitious both as to fact and application; and oftener they are fictitious simply as to application. * * * The disposition of men is to make a lion's bristle longer than an ass's tail. Even historians are prone to put their heroes under this magnifying lens, while they squint till they can barely see any object not concerned with their hero. * * * The anecdote is not intended to supplant history, but it is rather an appendix. It has no right to be incorporated in history until it has passed its probation in the marginal note; and even then it should pass a very searching examination. * * * If such be the position of the anecdote, that of tradition must of course fall much lower. Indeed, when anecdotes become traditional it is questionable whether they should ever more than very occasionally usurp marginal space. And yet traditional anecdotes enter largely into history. * * * But nature abhors a vacuum; and if nothing else can be had to stop a hole, she stops it with air. So history dreads a hiatus; and if nothing else is at hand to prevent it, anecdotes, tradition, fable—anything."

Other essays, apparently contributions to periodicals, are here and there to be found in his papers. Among the best are: *Bein' It's You, Greatness, and Wanted—A First-class Idler*. These prove that Dr. Adams understood men as well as books, and that the current of humor in him was by no means shallow or sluggish. Five incomplete stories and several legends attest the earnestness of his desire to succeed as a novelist and short story writer. From Scott's day to this, poets have with increasing frequency turned aside to prose fiction as a shorter road to wealth, if not to fame; probably to both. Poe, Simms, Aldrich, and Howells are recalled as Americans who have found more gold about the foot than on the slopes of Mount Parnassus. Whether from disappointment at the reception of his poems, for variety, or for increased remuneration, it is clear that in his latter years Dr. Adams devoted more time to fiction than to poetry. Success in this field he confessedly did not reach; for not one of his more ambitious efforts ever appeared in print or came fully to completion. Twenty-seven chapters of a story of Methodist itinerancy were outlined, and the first chapter written in full. Seven chapters of a weird romance satisfied him in that direction, and the fragment was laid aside. On a metaphysical novel entitled *Up and Down*, over four hundred pages were finished and the work was dropped. A prize story of adventure was all but completed in 1883, but for some reason was never given the final touches and sent to the paper offer-

ing the prize. *The Story of An Old Horse By Himself* was carefully planned, and in several revisions remains unfinished still. *The Legend of the Fork*, which perhaps appeared in print, he no doubt learned when stationed at Forkland, near the confluence of the Tombigbee and Black Warrior rivers. The traditional overthrow, almost annihilation, of the Creeks by the Choctaws in that vicinity is the tragic termination of this highly interesting legend, in support of which local evidences are introduced.

Attention has been called to his articles on a Methodist college for Mississippi in the New Orleans Christian Advocate. Dr. Adams was also a welcome contributor to several other church papers, which must not be overlooked; for, without a knowledge of the variety of themes and wealth of resources shown in his numerous press contributions, a proper estimate of his literary attainments and interesting personality is hardly possible. The doctrines, polity, educational interests, history, literature, and other topics directly and indirectly denominational, he treated ably and unequivocally, in luminous and often trenchant style, at times in humorous or satiric vein. Rev. R. G. Porter, an intimate friend of Dr. Adams, tells a characteristic incident which in substance is as follows: Dr. Adams was a frequent contributor to the St. Louis Christian Advocate over the pen name Guzman. To one of "Guzman's" articles, a writer signing himself Nehemiah, replied vigorously in the next issue. For sometime the discussion continued, growing in range and depth and warmth. "Gilderoy" (Rev. R. G. Porter), not exactly liking the views of either, and thinking "Nehemiah" was getting a little the better of his friend "Guzman," entered the controversy, hoping to lay the dust or pour oil upon the waters. By the next mail, to his surprise and amusement, came a card from Dr. Adams saying bluffly and familiarly: "Hands off, Porter; this is none of your fight. It's all mine. Haven't you sense enough to see I am both Guzman and Nehemiah? The question needed discussion; and I wanted it done thoroughly, so took both sides of it myself."

IV.

Inadequate as is the foregoing presentation of the place Dr. Adams holds in prose as a man of letters, it must suffice; for his place and rank as a poet now claims a full consideration.

As has been shown, from boyhood he evinced poetic temperament and tastes. Early associations and school influences rapidly developed these traits and proclivities. Intellectual and spiritual culture and the vicissitudes of active life so intensified and confirmed them that he came to find his chief delight in the exaltations and raptures springing from the workings of his own fervid imagination. The exercise of his poetic gifts was a luxury and not a labor; yet, at the same time, he felt an obligation to use nobly and cultivate assiduously his poetic powers. The technique of verse was so well mastered that flaws in his metrical schemes can rarely be found.

Occasions of almost every kind served his muse as theme or inspiration, and often the impulse to reveal or soothe a passing mood was sufficient to produce a hymnic or elegiac strain. On the backs of envelopes, on hotel letter-heads, or on any scrap of paper which chanced to be at hand, such effusions were first written and afterward revised, and then, if thought worthy, copied in a note book for preservation. To the first page of his journal or to the last, to his birthday, and to similar objects and occasions he indited verses; often intended, it is clear, for no eye except his own, serving him as practice or for the joy or comfort gotten in the exercise. These diversions in rhyme are mentioned simply to show how in his leisure moments he turned instinctively to poetry for solace and recreation, and how he acquired the skill and ease in versifying which enabled him to accomplish greater things in the art so dear to him. Of the manuscript poems still unpublished, more need not be said than that they are mostly of the personal and occasional type of no especial merit, excepting scattered touches of genuinely poetic thought and sentiment.

The author himself culled his poems carefully for the volume published in 1882 entitled *Aunt Peggy, and Other Poems*. *Aunt Peggy* is a narrative poem of about thirty-one hundred lines, broken into ten chapters. The heroine was an aged aunt of the poet's, from whom at intervals he had gathered an imperfect story of her long, pathetic, and in part romantic life. Written in short iambic couplets, discursively narrative, the poem as a whole is disappointing, in spite of many vigorous and tender passages and bits of fine description and philosophizing. The

first three chapters are introductory, descriptive of Aunt Peggy, her cottage, and its surroundings, and explanatory of how as a boy the author casually gleaned from her the leading events of her long, strange life. Her combat at seven or eight years of age with a vicious turkey-gobbler, which she finally killed with a churn dasher, the closing day of the old-field school, her daring ride on an unbroken colt with only her spinning-wheel band for a bridle, how by a limb of a tree under which she passed she swung off unhurt, and her singularly pathetic death, are the main incidents. The tragic death of her husband and children, and her lonely latter days are not dwelt upon. With delicate skill is set forth her shy disclosure to the boy of the secreted mementos of her first love, which she had treasured to the last.

The interest otherwise in the poem lies chiefly in the queer theology and homely wisdom of Aunt Peggy, and in the pictures of simple, hardy country life as it was in Mississippi seventy or eighty years ago. Chapter seven on the old-field school for humor and historic interest surpasses the other chapters. The description of the school house has been given. See now the teacher:

"The rod of empire in his hands—
Twirling the hickory—scepter such
As princes might be proud to touch;
Heir of the birch's name and sway,
Which nursling statesmen must obey,
And poets, ere they learn to rhyme,
Must catch its music many a time;
Aye, many a young Demosthenes
Has felt its logical 'you sees,'
And linguists skilled in ancient roots
Found *nuts* were classed among its fruits."

Less fanciful are the heroine's reminiscences of her early days:

"Stop, child," Aunt Peggy calmly said,
And from her knitting raised her head;
"I think you'd bother your Creator
About the poles and earth's equator.
Your teachers now would make believe
We only learned to spin and weave,
When in reality we knew
As much about the world as you.
Some things we didn't know nor care
To know; we didn't buy our hair
From Yankee milliners, nor twist
Brass bands to go around the wrist;
We didn't spell our names *ie*
Or bang all day the *do, re, mi*—
* * * * *

We didn't have the financiers
 Which we have had these later years—
 Boss Tweed or Babcock, Oakey Hall,
 And all their cousins, great and small.
 We had no railroad strikes—no fires—
 No highwaymen to cut the wires—
 No life insurance companies
 But that one founded in the skies
 Thank Heaven for his mercy's sake,
 The risks of life for me he'll take—"

There are prosy parts, and triteness and conventionality occasionally are manifest in thought and style. But the most remarkable transgression of the writer is to be found in the contemptuous or flippant tone in which he refers to critics, scholars, and the dignitaries of history and mythology. Perhaps it is intended for drollery, but one can hardly excuse even "Aunt Peggy" for speaking of Alexander and Bucephalus in such familiar way as this:

"The Greek, if learned folks would speak
 Their mother-tongue instead of Greek,
 Would read, 'When Alick was a chap
 Who thought himself as big as Pap,
 Old Phil said, "Alick, saddle Ceph
 And ride him—he's a leetle deaf."
 Now Alick mounted Ceph and clucked
 And pulled the bridle till he bucked."

George Washington and his colt are mentioned in the same jocular, whimsical manner. In these cases the character of the speaker and the context extenuates, perhaps justifies the liberty taken, but when one reads such lines as these:

"How great to be philosophers—
 Toadstools on time's departed years,
 Hobnobbing with Pythagoras
 And many another ancient ass."

justifiable as is the satire on pedantry, the author can hardly be forgiven for taking so needlessly a venerated name in vain. Such lapses from dignity to drollery or affected familiarity by De Quincey, as when he speaks of Augustus Caesar as a *little chap* and seems to trifle with the solemn or the terrible, one critic terms "exquisite foolery," but is careful not to recommend its imitation.

The tenth chapter is the longest and, as poetry, the best. In it there are richer, softer tints, and to the flute rather than the harp the poet sings. The flickering of youthful sentiment in "Aunt Peggy's" aged, widowed heart are revealed with tender

grace, and the closing apostrophe to Memory is a noble, splendid utterance, part of which is given:

"Thus shall the days return again—
My childhood's joys were not in vain—
My boyhood's hopes are yet to be
One part of immortality.
The brightest schemes of life shall bloom
And fructify beyond the tomb;
Manhood shall draw new strength from thee
Immortal-making Memory;
While feeble age on thee shall lean
And retrospect each vanished scene;
Then on the tree of Life lay hold,
And grow immortal growing old!"

The twenty-seven other poems in the volume with *Aunt Peggy* are generally of a personal and religious nature. The poet's youth, his mother, and the future life inspire some of the best of these lyrics. *Bury Him in the Sea*, on the burial of Dr. Coke at sea, is a spirited poem with fine imagery and lofty sentiments. In the tender tribute, *To My Mother*, the lines,

"Ere perhaps his eye be dim
He may step across the river."

impress one as prophetic, and the comfort which he takes in the last stanza is worthy of quotation:

"Angels well might wish thy lot
Richer far than any other—
Thou hast that which they have not
Angel never had a mother."

Then and Now, Growing Gray, Never So Much as Now and *While We May* attest in contemplative mood genuine inspiration and artistic execution. *Old Papers* and *Even With the World* are rather fanciful and have a tinge of humor with a serious undertone. As representative of these songs in a minor key, characteristic of the singer, the following selections must suffice:

NEVER SO MUCH AS NOW.

A beggar of heaven I came to the world,
How naked and helpless was I!
But hope a bright banner before me unfurled
Of glories to come by and by.
And Providence blessed, and stronger I grew
Till manhood has crowned me; but how
Reluctant to own that the beggar I knew
Was never more helpless than now.

A babe, I knew nothing; but daily I prayed
 That knowledge its stores might reveal;
 An angel came nightly, and lovingly laid
 The treasures from under the seal;
 But knowledge has made me a beggar the more,
 And ne'er with one thing will endow;
 I go from its halls, though a beggar before,
 Yet not such a beggar as now.

Experience! Yes! That bundle of facts
 Like cobwebs with flies in each knot!
 Ah! take them and cram them in memory's cracks,
 And talk of the wealth I have got!
 Then turn with the doubts and misgivings before,
 And honesty can but allow
 That spite of my gains I ne'er was so poor—
 Ne'er half such a pauper as now!

* * * * *

THEN AND NOW.

THEN I was a child,
 And then my fancies flew to future days,
 Some whither on that vague and shadowy wild
 Where hope is wont her palaces to raise.

* * * * *

Then! O *then* is gone!
 Back through the halls of memory I tread;
 Along the silent walks I stroll alone,
 And look upon the scenes forever fled.

* * * * *

But *then* I'll have it still—
 Changes may come as years shall glide away;
 But *then* will I still seek beyond the hill,
 Whereon the sun is brighter than to-day

* * * * *

Life! Then and Now and Then!
 Thank God for memory's *then*, though poor,
 Which brightly shines awhile to fade again
 And join its mate upon the other shore!

* * * * *

One *now*, though sad it seems
 Is but one side of life's kaleidoscope
 Which gathers brighter colors from the beams
 That also shine through memory and hope.

* * * * *

But the measure of Dr. Adams as a poet should be taken by his first volume, *Encotidion; Or, Shadow of Death*, published six years before *Aunt Peggy and Other Poems*. In boyhood, as before stated, he had versified a negro's grotesque dream of a visit to the lower world, and called it *Cuffy's Dream*. Thus early, thought and imagination were directed to this mysterious

theme, and, as if fascinated by it, for years he continued more seriously his efforts to fathom its depths and light its darkness. Virgil, Dante, Milton, Spenser, and other explorers of the infernal shades, instead of satisfying, intensified his passionate desire to penetrate the dread profound and reveal its awful mysteries. The result is *Enscotidion; Or Shadow of Death*, a poem into which he poured his learning and breathed his imaginative spirit, and on which he founded his hope for distinction as a man of letters. A more ambitious poem cannot be found in American literature. Self-reliant and intrepid, indeed, is the spirit that would attempt to wake new music on the mighty harp from which *The Inferno* and *Paradise Lost* were evoked. Yet, that is what this poet has attempted with a degree of success that astonishes and gratifies the careful, cultured reader. It is not the orchestral music of the old masters, very truly; for in scope, machinery, and measure *Enscotidion* differs widely from their great epics. But it certainly possesses remarkable originality and poetic power. In places, there are suggestions of Miltonic sweep and grandeur; elsewhere, are approaches to Dantesque realism in the conjunction of things earthly and unearthly; again, in versification and tendency to allegory, Spenserian traces are easily discernible. From such writers and from the Bible, images, epithets and characters have inevitably, but indirectly and sparingly, been drawn. The fable, cosmology, and machinery of this poem are evidently the writer's own. No Satan and Michael, Virgil and Beatrice, or Archinago and Duessa, appear in *Enscotidion*. Time, Death, Disease, Night, Solitude, Poverty, Pride, Reason, Hope, Faith, Fiends, Furies, and a youth from earth led by Despair are the acquaintances to be formed in that realm of phantoms and of horrors. Through all this weird tale a serious purpose runs, which is, apparently, to show that this side of death, however steeped in sin the soul may be, there yet is hope of heaven. That this thought prompts and justifies the effort to picture the abode and miseries of the lost is more than hinted by the author.

But a proper understanding and appreciation of the work cannot be gained through descriptions and comparisons. The intelligent reader of the text itself must be alert, if he would comprehend it rightly; and the ordinary reader will not be like-

ly to discover its true merit and significance. Poems of this kind, even the greatest, are never really popular, for they demand too much of the reader in the way of scholarship, poetic taste, and spiritual cultivation to be appreciated and enjoyed by many. "Fit audience though few" such writers seek, and are satisfied to please. Applause from high sources followed close upon the publication of *Enscotidion*, and a slight revision with a brief prefatory argument to each canto would doubtless have largely increased the number of its readers. But, for lack of means, or of faith, it may be, in its future—for the author was evidently disappointed in its reception—only one edition of the poem was ever published. Since it is out of print, fuller analysis and quotations will now be given than if it were easily accessible.

"*Enscotidion; Or, Shadow of Death*, by T. A. S. Adams, A. M., with an Introduction by Rev. R. A. Young, D. D.," was issued by the Southern Methodist Publishing House, at Nashville, Tenn., in 1876. The poem consists of six hundred and fifty-two Spenserian stanzas and seven lyrics, and is divided into five cantos of nearly equal length. The argument of the several cantos with illustrative stanzas interspersed will best set forth this extraordinary production, which is worthy, it is believed, of so full a presentation:

CANTO FIRST

Invokes the Muse of the heavenly strain and stainless wing,
closing thus:

III.

If, then, to thee, through scenes of woe and night,
The privilege to rove at will be given,
Descend with me to Erebus, and light
Its darkness for awhile with beams from heaven.
Upon the ear of hopeless spirits even
Let fall some note of heavenly harmony,
By which the howling furies may be driven
Awhile to deeper shades; and hell may be
A land not tumult all, while occupied by thee.

IV.

But if, in shadows deep enveloped, still
This God-forsaken land must ever groan—
If o'er this gulf no angel pinion will
Essay to pass—may mortal dare alone
To grope amid the darkness of th' unknown?

May I, then, unattended seek the shades?
 Shall I, so unacquainted with my own,
 Explore a world where none but spirit treads,
 Chasing a *fatuus* light o'er its dark everglades?

Two godly parents and their only son dwelt in a lovely, quiet valley. Azan, the son, fell into vice and crime, despite a known tradition that an awful fate would be the consequence to him.

xv.

Azan, the son of prayers and promises,
 And heir to all his father's virtuous fame,
 Forsook the path of truth and holiness,
 To tread the crooked paths of sin and shame.
 (How easy 't is to blot the fairest name!)
 Mad Passion broke from Wisdom's mild control;
 The docile child the Bacchanal became,
 And from the sparkling poison of the bowl
 Crept out a brood of demons to destroy the soul.

His parents die of grief, but he is too obdurate and profligate to give them decent burial. The anniversary of the night of his father's death is celebrated by a bacchanalian revel in defiance of a prophecy of impending calamity to him that night. Toward dawn he exults that the prediction of a curse to fall on him that night was false; retires then to his room, muses on the past, scoffs at his mother's faith and his father's God. A wretch, he lies down to sleep, yet fain would call his mother's spirit back.

xxxii.

"Sleep, curst of Heaven!" a spirit whispered near;
 And strangely were his eyes constrained to close.
 "Sleep, O lost son!" Then fell a burning tear
 Upon his face; a spirit wail arose—
 Wild, hopeless, tender—Love's expiring throes.
 A ghostly hand filled up the cup of wine,
 And poured it out, repeating direst woes;
 Then marked upon his brow a mystic sign,
 And all sang, "Wretch, sleep on! sleep's wildest dreams be
 thine!"

Friends return next day, think him dead, shroud him, and set his coffin by the bier.—Moralizings on death—Azan in his strange sleep begins his wanderings in the spirit world, unmindful of the friends about him who suppose him dead. Midnight comes, the watchers sleep, without are heard the owl and whippoorwill. Spirits flit in and out the open windows, dim grow the lights, the air is stifling, Azan awakes terror-stricken

and cries out in agony. A deeper sleep has fallen on the watchers, who hear no sound.

XXLVI.

"Mortals, or spirits! if in either land
By man or demons tenanted I be—
If by the blasts of hell I now be fanned,
Or lie upon the margin of that sea
Which mortals dread, and call Eternity—
O tell me, is there naught but shadows here?
Is there no guide no company, for me?
Left in a dungeon, will no friend appear
The solitude with but one hopeful word to cheer?"

XLVII.

"Is this the vale? Is yonder silent stream
The river of the dead? Are yonder skies
The canopy of hades? Do I dream?
I seem to see the walls infernal rise,
And horrid visions pass before my eyes.
O Death, is this thy inky river's shore?
Is yonder ghost thy boatman now that plies
Across the waters dark his muffled oar?
And is that murmur not their sullen, ceaseless roar?"

A hoary giant specter strode noiselessly up to Azan and gazed upon him. Time, the hoary specter, is described in six stanzas with this conclusion:

LV.

He ne'er was still a moment: round and round
At times he turned, till dizzy grew the head;
Now stepping back and forth, or, at a bound,
Beyond the reach, beyond the sight, he sped.
And now he nervously approached the bed
Where Azan lay in such a wretched state,
And stooping down and touching him, he said,
"What wilt thou, mortal, calling me so late,
Who oftentimes have come, a beggar, to thy gate?"

The question waked memories like muttering thunders in his ears. Time departs. Death enters and holds converse with Azan.

LXVI.

"He sent thee, then, to slay me?" Azan said.
"He came at thy own bidding, and I came
Because I ever in his footsteps tread.
For deeds of his I oft must bear the blame.
I kill thee not; my being is my name.
Lo, I am shadow all—no substance here!
Chide not a famished specter—no, for shame!
Dismiss thy folly, and forget thy fear.
I go; my father comes, and I shall reappear."

Time returns, writes his name in the marble table, and disappears again. Azan is now in an agony of repentance and remorse. In response to his dubious, piteous prayers, two bright spirits, Ease and Pleasure, steal to his side. They comfort with bland words, and bid him drink deep of a sparkling cup. He quaffs it eagerly and forgets his woes as he listens dreamily to the "Song of Ease:"

"Soft, ye zephyrs, fan his brow;
Free from care he slumbers now.
Come, ye gentle spirits, twine
Myrtle wreath and columbine;
Let their fragrance sweet dispel
All the power of spirit fell
That may ride upon the breeze;
Lull him in the lap of Ease.

* * * * *

"Dream of fountains pure and bright,
Boundless vistas of delight;
Fortune's mines of wealth untold
Let thy wondering eyes behold;
And the sisters waiting round,
With the fadeless laurel crowned,
While the jasmine-scented breeze
Fans him in the lap of Ease."

He awakes, as by magic his room is filled with gems and gold. Fortune offers her gifts, if he will bid Ease and Pleasure go. He reluctantly refuses and sinks again into their arms, when lo! they are transformed into gaunt, grim ogres. At his mad calls they resume their bright forms, and in their caresses he sinks again. Reason flees, imagination controls, stupor overcomes him, and he seems pulseless, cold, and dead. Ease and Pleasure gathering up his scattered wealth, steal softly out and leave their victim to his fate.—Moralizings on the hour and mode of death.—Azan awakes at last in darkness and desolation. He rages and calls on Time for mercy. No answer coming, in desperation he attempts to rise. Poverty and Disease, lean and ghastly monsters, press him back. He begs them to leave him alone to die. Disease derisively demands a settlement for his debaucheries, and seizing him in his foul arms, bids him prepare for racking pains and render to Poverty his dues from the remains of years of wastefulness.—Moralizings on hopeless misery that cannot die.—Contrast drawn:

CXI

Ay, there are moments when these fleshly bars
 Break like the cobweb in the driving gale,
 When the 'scaped spirit seeks again the stars,
 And to the choirs celestial shouts, "All hail!"
 Moments of ecstasy, in which the wail
 Of earth is drowned in music of the spheres;
 And, though the fiercest storms of grief assail,
 Defiant she mounts upward through her tears,
 Shouting a jubilee which rings through endless years.

CXII.

But O the pain that gives these longings birth!
 The way as traversed, not as when reviewed—
 The one is Moab's gloomy waste on earth,
 The other Nebo's top, where Moses stood.
 Behind is naught but law and solitude;
 Before are Freedom's hill-tops, grand and green;
 Behind, a zigzag path reads, "God is good;"
 Before, the New Jerusalem is seen;
 And we cry, "God is better than our thoughts have been."

Prophecy in last stanza of deeper gloom for Azan.

CANTO SECOND.

A dismal vale, a dilapidated hut; Azan, a pallid sufferer with-
 in, rolls in delirium on a bed of moldy straw. Disease and
 Poverty contend for him. He is left to Poverty, who takes his
 last few pennies and even the bed clothes and departs.—Reflec-
 tions on poverty—

XXXII.

Thus stripped he left him; out upon the night
 Went this half demon—canonized outlaw,
 That pleads his sainthood from his ragged plight,
 And prays to Heaven only for his maw.
 For right itself he does not care a straw;
 For honor, naught; for hell he votes to-day,
 That he on it eternity may draw,
 A lottery ticket large enough to pay
 The fees of Purgatory and—a meal a day.

XXXIII.

Ye poor, indeed! God's humble, honest poor!
 I set you not along in catalogue
 With him I picture here. Ah, no! before
 I do such deed, let me be called a dog,
 A slander on my race, a shameless rogue
 Of character—whatever ye may choose—
 And turn me out to wander o'er some bog,
 Where reptiles, fed on deadly nightshade's juice,
 May in my writhing flesh pour all their poison loose.

Azan, alone, thinks soberly of reformation. Pride enters and
 appeals to him to rise in his manhood and conquer fate, Humil-
 ity pleading to the contrary and pointing to calm, green valleys.

LX.

"Behold," said he, "'I will' omnipotent!
 Look up: thy mightier self is sitting there
 Enthroned forever—yet one steep ascent,
 And thou hast won. Then bid adieu to care,
 And mount, the empire with thyself to share.
 See! Fate is hoodwinked, though he holds the rod;
 He often blusters, bidding men beware;
 But he is impotent. 'I will' can nod,
 And Fate will abdicate, and man alone be god."

Fate and his throne described. Unable to resist the taunts of Pride, Azan madly attempts to follow him up the awful steep. Pausing, faint and breathless, he hears a terrible voice warning him to desist.

LXXIV.

Then passed before him such a presence dire—
 Formless, yet more symmetrical than form;
 Chilling, yet hotter than infernal fire;
 Serene, yet wilder than the wildest storm—
 As ne'er in fancy had a mortal worm
 Conceived. Transfixed with speechless fear he stood;
 And, while he could not move a foot or arm,
 And horror in his veins congealed his blood,
 A whisper in his inmost bosom said, "'Tis God!"

LXXV.

"Heir of the ages!" said a voice sublime,
 "Born of eternal purpose ere the dawn
 Of the first day upon the flight of Time,
 Dare not forbidden ground to tread upon!
 Safe are the paths o'er which the past is gone,
 And in them thou inheritest a share
 Of all th' eternal future yet unknown;—
 To this, when Time is passed, thou shalt be heir;
 But, though immortal, as a mortal now beware!"

Infatuated, he heeds not the voice. "Am I immortal? Onward, then!" he cried, and in desperation rushes up the perilous height. Earthquake, storm, and avalanche tear and scathe the mountain side; and Azan soon lies senseless at its base. Half conscious, he sees Time in shadowy outline pass before him. Pleads for mercy and the return of youth and innocence, but unavailing; for Hope deserts the breast which Faith has wooed in vain.

LXXXIX.

"But here and now—what comfort may I seek?
 What aid from thee in present need implore?
 Canst thou a single word of solace speak
 As balm upon my heart with sorrow sore?"
 Time raised his eyes, and simply said, "No more!"

"Then let the future to me be revealed;
 I'll give the past and all the present o'er,
 If thou wilt ope that world so long concealed,
 And let me know it all. O Time, in pity yield!"

Time bids Despair guide him through the shades of death.
 With the command to follow, look, and ask few questions, they
 enter the Dark Abode of Woe.

CII.

"But these unhappy?" Azan's pallid cheek
 And wild, dilated, vacant, staring eye
 Expressed the thought he could not fully speak.
 "Ay, they are my possessions, certainly—
 Half brothers, yet my slaves, those souls that cry,
 'Woe! woe!' through all these lands, or lakes, of woe—
 Time's lawful children thrown away to die;
 And for this purpose I behind him go—
 'T were better to be mine than be deserted so."

Azan shrieks in dismay and tries to escape from Despair.
 His memory and vision altered. The cycles of eternity begin
 to pass before him. The Judgment is passed. Earthly scenes
 are over. Satan and his hosts are sweeping downward to
 worlds below. In the goblin ship of hell, Azan, a runaway
 from Time and Care, sets out with his guide Despair to explore
 the region of the lost.

CXX.

Or, rather, as the corsair, when the sea
 Is lashed to fury, and its foamy surge
 Is lighted by the lightning, fitfully
 Dancing o'er waves to ocean's wildest dirge,
 Doth from his covert in the cave emerge
 To range the sea for booty and for blood—
 So Azan plunged through darkness from the verge
 Of Time's last *Thule*, where he erst had stood
 And uttered his wild cry across the boiling flood.

* * * * *

CANTO THIRD

Invokes the epic muse in three stanzas, excusing Maeonides
 and Milton from the company, unless they choose to go.

IV.

Hell is my theme. What is it? where? and when
 Shall we get there? Is it a black abyss,
 Where furies feed on miserable men?
 Is it a lake, where billows foam and hiss?
 Or is it not a world akin to this?
 Its good extracted, and its bad made worse;
 Its capital a vast metropolis,
 That keeps its jockey-club and pony-purse,
 To bet on human races, and—the poet's verse?

Crude misconceptions of hell. Apology for seeming levity. Invokes Divine Wisdom for guidance. Study of the theme profitable. False theories of the learned satirized. Hell imitates earth and heaven. Hell's metropolis; its streets, buildings, quays, fleets, etc.

XXXII.

But these have still their stately bearing kept
 Where floods above the wreck of empires rolled;
 On through the ages they unscathed have swept,
 While human deeds have sunk to dust and mold.
 This fleet was fitted out in days of old,
 When Moloch counseled storming heaven again;
 But ere the expedition started, bold
 As were hell's warriors, it was voted vain
 To trust their strongest forces to the treacherous main.

Azan awakes to consciousness in a hospital of hell, but soon leaps from a window to escape his demon nurses. He is arrested, but released, and directed to a great inn. He inspects the register and then looks into the dining hall.

XLV.

There sits a quondam judge, in sooty wig,
 Devouring his soiled ermine, boiled in tears
 Shed o'er the convict's grave he helped to dig;
 There sits the murderer of golden years,
 Gorging his youthful crimes and long arrears
 To Time—how vomits he his vain regrets!
 That politician feeds on hollow cheers;
 That miser chews a quid of worthless debts;
 That soldier gets his fill of guns and bayonets.

Turns in disgust to leave, but a fiend, once a friend on earth, accosts him, and orders food and drink for two from Despair, the caterer of hell. "Not ready yet" is the repeated answer of Despair, who recognizes Azan and bids his fiend-friend act as his guide. Sights of the Metropolis: mint, library, patent office, art gallery, exchange, treasury, etc. The last is thus described:

LXI.

There stood a pile to which St. Peter's dome
 Was but a toy-house, and with rooms so great
 That the vast amphitheater of Rome
 Would hardly make a cloak-room. At the gate—
 Of which no dozen bars could hold the weight,
 Though large as those that link opposing shores,
 O'er which the engine drags its ponderous freight—
 Stood Azan waiting, till its mighty doors
 Were opened, and he walked along the marble floors.

Surfeited with the sights and sounds of the metropolis, they ascend a hill near by.

LXXVI.

There long in silence from the hill they gazed
O'er all the scene—a dread, bewildering sight!
Far to the left a fiery ocean blazed,
Whose farther boundary was lost in night;
The city of the damned lay on the right;
Behind it stretched the plain on which it stood—
This was the picture of eternal blight,
Where not a sprig of grass, or growing wood,
Or placid stream, or lake, relieved the solitude.

LXXIX.

Towns, cities, villages, upon this plain,
Seemed, at the distance whence they were surveyed,
The evidences of a prosperous reign;
But close inspection showed the walls decayed,
And rotten roofs, where poisonous serpents played.
Unutterable squalor reigned within;
For on the ruined property was laid
Such heavy tax, to pay the cost of sin,
That to repair his home none ever dared begin.

The guide-fiend explains all, and then pointing to the temple of Fame on a distant hill, tells of its builder and its votaries in scornful and sarcastic speech. Death and his hosts are seen approaching, and the two in affright flee to the verge of the ocean. Death and his array amid terrors descend to the City of the Dead upon the shore—*The Fury's Song*.—The Court of Death. Lust reports of his efforts to satiate the dread monarch, closing exultingly:

CXIX.

“Ten thousand vices, and for every vice
Ten thousand slaves, attest my services,
Until the blooming bowers of paradise
Not half so many leaves and flowers possess.
On, on to thee, with eager haste they press,
To fill the far-extended bounds of hell
With their prolific brood of wretchedness.
Look o'er this vast array, O Death, and tell
If I, thy servant, have not done my duty well.”

Ambition, wearing a wreath which he had dared Death to his teeth to win, and brandishing a bloody sword and flaming torch, glories in his deeds and says in part:

CXXXII.

“The blooming earth becomes a wilderness
Where'er I tread. Behold yon distant skies,
Where Lucifer, disdaining to be less,
Dared e'en against Omnipotence to rise!

There first confusion in the symphonies
 Of seraph-harps I made, and angels fell;
 Down came the host, and, passing paradise,
 Dragged man along, with all his seed, to swell
 The mighty avalanche, upon its way to hell.

War, Famine, Pestilence and others make report, but are dismissed as braggarts with the stern command to seek

“Some shorter path across the sullen sea,
 By which to bring the ruined sons of deity.”

Meditations on death. The Muse dismissed awhile. Thanks to readers and further indulgence asked.

CANTO FOURTH.

The tree of Time described. Azan approaches the phantom tree in the land of Death.

VIII.

And here he took his seat beside the sea,
 Near where had lately stood Death's council-hall,
 And gazed upon the old and rotten tree,
 Striving in vain his vision to recall.
 There rolled the dismal sea, but that was all;
 The city and its denizens were gone;
 The winds were chanting dirges funeral
 In the dead tree, and with a hollow moan
 The rotting branches swayed, broke off, and tumbled down.

Alone on the desolate shore. At the foot of the phantom tree, he mournfully retrospects the past—*Requiem for Wasted Years*. He slept, or thought he slept, awhile. He wakes to find the headless, footless, corpse of the giant Time by his side, and two demons drawing the giant's great blunt scythe across his throat. Ten thousand more around are building a funeral pyre. Azan in desperation leaps into the sea, but is beaten back and greeted with a wild chorus—*The Fiends' Chorus*. Furies beckon him, scream, hiss in his ears;—devils take possession of him. Reason leaves, but hovers near and gazes on him pitifully.

XXXVI.

No! Yearns the mother o'er a straying child,
 Wringing her hands, and sobbing pitcously,
 Praying, in accents passionately wild,
 That child's return? As doth the Deity
 Call to the sinner, “Turn; why wilt thou die?”
 So must the soul pursue her mortal mate,
 Whether in death or raving lunacy,
 And through all grades of woe, or forms, or state,
 Track its vicissitudes, and share its final fate.

The infernal spirits cast him into the sea, and chant in hellish glee—*The Chant of the Infernals*—With strength incredible he moves with them across the awful flood, joining madly in their demoniac songs.

XLIV.

Yet fiercely on among the monsters grim—
 Torn by their fangs, beset by horrid hags—
 With straining sinews he was forced to swim.
 Now he was rudely tossed against the crags,
 Or caught in treacherous nets of tangled flags
 Of some infernal fen, where through the slime
 The serpent Sin her hateful figure drags,
 Leaving her spawn of misery and crime
 To hatch in hell, and crawl upon the shores of Time.

Reason still hovers and vainly calls him back. Cast at length upon an icy cliff, helpless he lies, he cannot tell how long. The fiends depart, and joyfully he welcomes the return of Reason. The place described:

LII.

Whatever way the eager vision strained,
 It only saw the glaciers far extend
 O'er dreary solitudes, where winter reigned:
 There jutting cliffs, which nothing could ascend,
 Frowning above the floods between them penned;
 While, in the distance, turrets old and riven
 A more forbidding aspect seemed to lend
 To the whole scene than e'en the blight of heaven—
 Dark testimonials of sins yet unforgiven.

Digression on ruins and the lessons that they teach: Babylon, Troy, Thebes, Nineveh, etc. Meanwhile, Azan still lies in utter solitude on the icy steep overlooking hell; dying by inches, it seems; longing to die, but cannot—Philosophizings on the place and hour of death—Life flickers feebly still in Azan's breast. Gradually it returns, and in horror he beholds a monster Dragon breathing fire emerge from a cavern, and move toward him across the boiling lava flood. Hell shook to its center, as in sulphur smoke and with infernal shoutings the Dragon and his attendant hosts pass close by Azan, now all but dead again with fright. *Welcome to the Dragon's Home* is shouted by the infernals, ending thus:

“Come from vice's marshes muddy;
 Come from fields of battle bloody;
 Come from palace, stole, and study;
 Come, ye countless millions, come!

Come ye, whether brave or fearing,
 Whether clad in rags, or wearing
 Purple robes and gems unsparing,
 Welcome to the Dragon's home!"

Reviving once more, Azan wanders aimlessly along the dismal sea, until he finds the shadow of the phantom tree of Time. Other apparitions lead him on and on and on, but to mock and to deceive. At last

CXIV.

His form is lost in shadows. From our sight
 Visions and shapes are passing fast away
 To caverns of impenetrable night,
 And Chaos over all resumes his sway.
 Dreams fade away in air, or wildly play
 Fantastic freaks which memory cannot hold;
 Ghosts flock to darkness; apparitions stay
 But for a moment, and the cloud is rolled
 O'er all the scene—dark, solitary, bleak, and cold.

Apostrophe to Solitude from whom he seeks fresh inspiration to follow Azon.

CXV.

And here, O Solitude, thy hermit scowl
 Welcomes the weary from the walks of men,
 To calm the heavings of the troubled soul,
 And bid it love itself and kind again.
 Thou old magician, thou hast fled in vain!
 Man on thy haunts with eager haste has prest,
 And torn the veil from off thine altars, when
 Thou wast not looking for so rude a guest,
 Who told some mournful tale, or made some sad request.

CXXII.

How far the road may stretch itself, O Muse,
 Before we reach the place where we may tryst
 With nothing but dumb Solitude, and lose
 All words and numbers in a cloud of mist
 Which no poetic mountain ever kissed,
 We may be able by and by to say;
 But here we ramble as our mood may list,
 And sing to hear the echoes die away
 And come again from realms more dreary still than they.

CXXVII.

Mayhap, when final victory shall crown
 The hosts enlisted in behalf of Good;
 When Evil's empire lays its weapons down,
 And mortals enter into brotherhood
 With gods; when angels sound the interlude
 In the grand drama of Eternity—
 Thou mayst become an actor, Solitude,
 And, throwing off thy veil of mystery,
 Talk face to face with him who longs thy face to see.
 * * * * *

CANTO FIFTH.

Invokes the Muse once more to aid his flight beyond the limits hitherto assigned to the dominions of the damned, out into utter darkness and desolation unexplored before. Azan, left on the lava desert in the realm of Solitude, attempts to hold converse with a spirit he finds fettered there; but he is repulsed with bitter curses, and the spirit vanishes. Still across the desert plains he rambled on and on.

XVI.

His feet were sore; his hands were bruised and torn;
His tongue was swollen; he was mad with thirst;
His brain was feverish; his spirit worn,
Till anguish seemed his very heart to burst.
Yet on—no rest till he had seen the worst,
Or passed the bounds of this infernal waste,
E'en to the very fiends of hell accurst—
On o'er the weary leagues he trudged, in haste
To find some sign of life, and of its pleasure taste.

The sight and sound of water come to him at last. Eagerly he rushes forward and plunges into a vast expanse of icy jelly through which comes the noise of trickling water. Floundering through, he climbed exhausted to solid ground, where he lay shouting in the void, the earth quivering to his breathing. To a mountain base he finally drags himself in utter despair; when, lo! a stream of limpid water trickles down the rocks into a pool. Drinking deep, then bathing, he fell asleep and awoke to name this gorge the "Gate of Paradise."

"Why was it there? and why untenanted?
Why hid in mountains? He could only guess,
It might be here the Savior made his bed
When he had come to see the regions of the dead."

One day of bliss is granted him; then on, still on, until unscalable cliffs encircle him. Surely the end has come, he thought, and welcome is it. But, no; the spirit that deserted him returns and leads him slowly onward into the domain of Night, the Thule of creation. Speech forsakes him as into the bridal hall of Death and Night he enters with his dumb guide. Serpents twine about him; he falls and, serpent-like, hisses and crawls along the slimy path. No sense but touch is left, and that is gradually forsaking him.

LXII.

For now, at last, his spirit seemed diffused
 Throughout the general mass, and he was all:
 His sense, emotions, faculties, were loosed
 From objectivity's restrictive thrall.
 What matter now to him if Night her pall
 Spread o'er her sleeping children, where they lay,
 Regardless of the dark and slimy hall?
 To him a brighter than the light of day
 Had dawned and chased the terrors and the ghosts away.

A spirit now he is, understands how all is known to God, and realizes that from himself—not from the Devil—sprang his evils and woes. On the border line of good and evil, light and night, he stands. Here, for a moment Jehovah gives each soul his omnific scepter, to wield as that soul may choose, and then go his way obedient to his own imperial will.

LXVII.

How awful must it be to rule when He
 Who made the worlds doth abdicate his throne,
 And leaves the dread responsibility
 Of weal or woe to human will alone!
 "Choose ye for life or death!" and it is done.
 Man, with a breath, lights up Eternity,
 Or blows out, hopelessly, the glowing sun
 That shone upon his being's path, and he
 Henceforth must blame himself that he no more can see.

Before the vacant throne stood Azan; on each side an awful spirit shone, and laid the robes of office at his feet.

LXIX.

At last, with trembling, he the scepter took,
 While death-like silence reigned around; he then
 One moment dared toward the past to look,
 And then into the future, if his ken
 Could bring its secrets to his sight again.
 What then he saw is not for man to know;
 But o'er the silence rolled a loud "Amen!"
 As Azan said, with reverent voice and low,
 "God is the Judge of all, and be it ever so!"

Azan fell on his face, and wept tears of angelic peace and joy. The resurrection pictured. By his guide, he is led across a dreary waste to a mountain peak, from which across a dark abyss they view the Earth, a land of sunshine and of shadows, a lovely land, which the guide may see but never enter. The lost spirit bids a long farewell to Earth and then to Azan.

XCIII.

“The loves—those gleams of sunshine through the clouds!—
 Bright halcyon days!—I will no more of these
 Delusive visions of a mind which crowds
 The present with its graveless memories.
 Hence I shall look no more beyond those seas—
 Here is my home; then let me here pursue,
 If not the *fatuus* lights of love and ease,
 At least what never may the past renew.
 O Earth! thy hopeless child cries back to thee, Adieu!

XCV.

“Yet round that name I linger, though the sweet
 Is gone, and left the bitter. Friend, farewell!
 Again, a last time, I the word repeat,
 And on its agonizing cadence dwell.
 Go, trembling mortal! quit the courts of hell!
 Spread thy light pinions o’er the boiling sea,
 And every baleful influence repel
 With faith and hope; and, when from danger free,
 Embrace fair Love again—and O remember me!”

Then Azan spread his wings to soar above the sea of sorrow toward Earth, the land of Faith and Hope and Love. Tempests beat him back; Hope grows dim, but by Faith’s aid he reaches the farther shore, up which he struggles bereft of wings. Imprudently, he looks behind; fiery billows roll back upon him; fiends pursue him for leagues along the shore, and he hears among their fiendish cries a wail “Remember me!” At length, exhausted, he falls and fiends surround him; but a faint light on a height he sees. He looks again and seeing the Three Sisters, faintly cries “Remember me!” Consciousness is lost; on its return, three angels bend over him and bid him live again. Apostrophes to Earth and the Land of Shadows; interpretation hinted.

CXXII.

Hail, then, thou world of shadows! on thy verge,
 With Azan, let me stand and gaze, until
 The rising stars of Faith and Hope emerge,
 To join with Love’s, o’er Zion’s crested hill.
 Then Death upon my members, cold and chill,
 May lay his hand. One look upon the past,
 And one adieu to earth—delightful still,
 But paling in the distance—I will cast
 My vessel on thy waves, secure of rest at last.

Hope, Faith, and Love whisper counsel in Azan’s ear. Love’s final words are these:

CXXV.

"Show to the world a soul by smiles unbought,
 By frowns unawed, by sorrow unalloyed,
 Unwarped by passion, ne'er by falsehood caught,
 Forever in the cause of man employed,
 But seeking not his smiles to be enjoyed;
 Free as the rain thy tears of sympathy,
 Free as the air, of self-importance void,
 Thy words of counsel; and, as Deity
 Blesses before we ask, let thy good deeds be free."
 * * * * *

"Be loving, cheerful, true!" exclaimed the three;
 "Go, wipe away the stain upon the dead and thee!"

CXXVIII.

They rose to heaven. Then Azan woke. 'Twas all
 A strange, wild dream—a vision of the night.
 He lay within his patrimonial hall,
 While on his half-closed eyes a fading light
 Of an expiring lamp anon shone bright,
 Then died away in darkness. "Hence," said he,
 "All pleasure, save the one of doing right!
 Henceforth, there is no other life for me
 Than one of toil to shame my former levity."

His reformation, noble life, and lamented death. No heir to his patrimonial mansion; but the Heavenly Three continued to hover over it, and bright spirits each night illuminate it.

EPILOGUE.

Human nature, ink, in earthen vessels bottled; the pen, man's will, by which God writes his name on earth; paper, the earth on which man writes the whole of life, the lore he cannot read, though written by himself; empty inkstand, the empty human head. True or a dream of fancy, reluctantly, adieu to Azan.

Whether the poem, speaking for itself in the argument and illustrative stanzas above presented, comports with the introductory description of it, the reader may determine. Little further need be said except in a summary way. The stanzas inserted in the argument serve chiefly to develop the story; often showing, also, the author's descriptive and philosophic powers in verse. In connection with the argument, the selections will tend to reveal the fullness and subtlety of the personification and allegory that create and govern, respectively, nearly all the characters. Illustrations of grim humor and caustic satire might have been introduced. In places they are employed with admirable skill and effect; but occasionally in Rabelaisian or Carlylian mood, the poet becomes grotesque in

humor and morbid in his satire. Seldom, however, does the gruesome enter, as might be expected in a dream of such a nature, from which the fantastic in parts is hardly separable. In the addresses to his muse and to the reader, generally at the close of the cantos, in several instances the author is provokingly modest in his undervaluation of his work; sometimes suggesting the thought that he does not take himself seriously at all, which elsewhere, specifically, and by the poem generally, is clearly contradicted. These epilogue stanzas and touches of morbid humor occasionally displayed, which might have been omitted in a revision, are the principal defects of the poem; unless the conception of the metropolis of hell be accounted such. Tastes on the latter point might differ widely; but certainly that part of the poem in its realism is in marked contrast with what precedes and follows; intentionally so, perhaps, as a relief to the strain on the imagination.

Unequal, admittedly, *Enscotidion* is; but what poem of six thousand lines is not? At times, even Homer nods, Milton prosed, and Dante almost disgusts. That to such amazing depths and agonizing distances, to so good purpose, and with so few artistic lapses, the poet in imagination or phantasy has carried Azan, is a feat no less than wonderful, an achievement unparalleled in American literature. Wigglesworth's *Day of Doom* (1662), though it went through nine editions in America and two in England, with its sing-song verse and horrid realism, now excites, at most, a smile, a shudder, or a yawn. Dwight's dreary epic, *The Conquest of Canaan* (1785), is as mechanical as it is monotonous. Other notable American poems of epic nature are chiefly of the historical or romantic type. Except, perhaps, Longfellow's *Christus*, Bayard Taylor's religious dramas, and Dodge's *Christus Victor*, no American poem approximating it in extent, is so lofty in theme and imaginative in treatment as is *Enscotidion*.

Among the manuscripts of Dr. Adams is the fragment of another epic, entitled *The Lost Restored*. The argument for five books is complete. A lyric invocation and most of the first book in blank verse have been fully written. Heaven and ilimitable space, saints and angels, Christ and God are the objects and personages in this projected epic. Men and devils do not appear; for the Judgment with its momentous issues has

long since passed. Twelve legions of angels dispatched ten thousand years before to a universe millions of millions of leagues distant have not returned. A council is held in heaven. How they were lost and how restored is the theme of this well-nigh celestial tragedy. More than an indication of the form and substance of this unfinished work will not be attempted. It is referred to thus only to show more fully the ardent poetic nature and lofty literary aspirations of Dr. Adams.

The man of moods and of visions, the scholarly teacher, and the poet-preacher have been portrayed as truly and as clearly as possible within the projected limits. Appreciation, not eulogy, has been the purpose of the writer. Several distinct views of his life having been drawn, a composite picture might in conclusion be undertaken. But, except to suggest that the tendency is ever strong to withhold due honor from the home prophet, further estimate of the man and of the value of his services will be left to the reader sufficiently interested to investigate and make it; little doubting that, as was indicated in the opening paragraph, Dr. T. A. S. Adams will be adjudged worthy of high honor; entitled by his learning and eloquence to distinction in the Southern ministry, and by *Enscotidion* to prominence among American epic poets.

THE INFLUENCE OF THE MISSISSIPPI RIVER UPON THE EARLY SETTLEMENT OF ITS VALLEY.

RICHARD BROWNRIGG HAUGHTON.¹

It was in 1541, near Chickasaw Bluffs, that DeSoto discovered the Mississippi river.¹ In 1634, French missionaries penetrating westward from Canada to preach the gospel, heard rumors of a great river in that region still farther towards the west.² In 1665, one of these, Father Allouez, brought back the first authentic accounts of it.³ It was called by the name given to it by the Indians—"Mississippi." It is interesting to note that, later, Hennepin called it "Meschasipi;"⁴ and other similar names are occasionally found in old writings. Hennepin also spoke of it as the river "Colbert," in honor of a Frenchman.⁵

The first white person who made an exploration of it, so far as we know, was Father Marquette, a Canadian priest, who, with Joliet, a merchant, left Quebec in 1673, penetrated to the

¹ Judge Richard Brownrigg Haughton was born at Aberdeen, Miss., Nov. 24, 1864. His father was Hon. Lafayette Haughton, who was for two terms Chancellor of the first district of Mississippi. The author of this monograph attended the Agricultural and Mechanical College of Mississippi during its opening year, 1880-'1, and completed his Sophomore course at that institution. He afterwards entered the University of Mississippi, where he was graduated in law in 1886, taking the first honor of his class. During the next two years he was engaged in the practice of his profession at Aberdeen, Miss. He then removed to St. Louis, Missouri, where he continued to practice law until May, 1896. At that time he was appointed a justice of the peace by the seven Circuit Judges of his city. He has held this office from that time until the present day. During the year 1900-'1 he was Commander of the Missouri Division of the United Sons of Confederate Veterans. At the Memphis Reunion, held in May, 1901, he was elected Commander-in-Chief of that organization.—EDITOR.

(NOTE.—The principal annotations of this paper are taken from the following authorities, which for brevity will be mentioned on the paging as shown by the names in brackets, to wit: "*The History and Geography of the Mississippi Valley*," by Timothy Flint (Flint); "*The Westward Movement*," by Justin Winsor (Winsor); "*History of the Discovery of the Valley of the Mississippi*," by Adolphus M. Hart (Hart); "*A Description of Louisiana*," by Father Louis Hennepin (Hennepin); "*History of the Early Settlement of the Mississippi Valley*," by Firmin A. Rozier (Rozier).

¹ Bancroft, Hist. of the U. S., p. 51.

² Hart, 12.

³ Hart, 20.

⁴ Hennepin, 52.

⁵ Hennepin, 52.

Wisconsin river, thence into the Mississippi and floated down as far as the mouth of the Arkansas.⁶

The first white man, so far as records go, to explore to its mouth was La Salle, who in 1678 led an expedition including De Tonti and Hennepin to explore the river and country and open up trade.⁷ He went to a point near the present site of Chicago, made a portage to the Illinois river and started south. Various disasters caused him to turn back. Hennepin, who was sent by La Salle to explore the upper portion of the river, went as far as the Falls of St. Anthony which he named in honor of St. Anthony of Padua.⁸ One account of this expedition mentions a curious way in which the hunters, then, measured distances on the river. They estimated as a league the distance passed "while smoking a pipe."⁹

La Salle, for protection, established a fort near the present site of Peoria, Illinois,¹⁰ which he named Fort Creve-Coeur (broken-heart), typifying the sorrow of the party over their misfortunes. This was probably, the first settlement by white people in what was then known as the Western country and may be denominated the germ of the settlement of the Mississippi valley.¹¹

In 1682, La Salle started on a second expedition. He was more successful this time and reached the Mississippi in February. He explored it to its mouth, which he reached in April.¹² He took possession of that part of the valley for the French and named it "Louisiana," in honor of Louis XIV., the reigning monarch. He soon returned to France, where he was grandly received. It was proposed that colonists be sent over to Louisiana and that it be united with Canada. La Salle was ordered to take charge of the expedition. He started, with

⁶ Hart, 29; Flint, 164.

⁷ Hart, 36.

⁸ Hennepin, 200.

⁹ Winsor, 473.

¹⁰ Whenever mention is made of a State, it must be understood that the country subsequently admitted as a State is meant, in case the date is prior to the date of the admission. The States mentioned were admitted in the years as follows: Kentucky, 1792; Tennessee, 1796; Mississippi, 1817; Ohio, 1803; Louisiana, 1812; Arkansas, 1836; Alabama, 1819; Illinois, 1818. The word "West" generally is used, as it was in the early days, to denote the country between the Allegheny Mountains and the Mississippi River.

¹¹ Hart, 91.

¹² Hart, 56.

four shiploads of people, but missed his course, failed to find the mouth of the Mississippi and landed near the present site of Matagorda, Texas. The colony failed to prosper; La Salle started overland for Canada; and, on the way, was killed by some of his men.¹³ The king made no further efforts to colonize for some time; but the French began to come down from Canada and to settle along the river—principally around the present location of New Orleans.¹⁴

In 1697, D'Iberville was sent over from France to colonize Louisiana. He was more successful than La Salle and entered the mouth of the river. Later, he established his colony at a point on the Bay of Biloxi, Miss. He was made Governor-General in 1699 and brought more colonists over from France.¹⁵ The Atlantic coast of the country had heard of Louisiana, by this time, and a few Americans and British were found coming in—some by sea and some by land.¹⁶

In 1702, D'Iberville died and Bienville was left in command. He moved his headquarters to Mobile. For a while, the colony was harassed by Indians and, to a large extent deserted by the French authorities and it dwindled away considerably. In 1712, Louisiana was turned over to Crozat. Its entire population then, scattered from Mobile to the New Orleans and Natchez district, was 324.

In 1715, Louisiana (particularly its supposed mines) was made the basis of the notorious "Mississippi Bubble" scheme of John Law, which was started to help the depleted condition of the French treasury. The "Western Company" was formed and it sent over a great many emigrants to colonize the country. Bienville was appointed Commander-in-Chief.¹⁷ In 1715, Natchitoches was founded¹⁸ and, in about 1720, Bienville built Fort Rosalie (at which is now Natchez) for protection against the Indians.¹⁹ In 1717, he founded New Orleans, which he named for the Duke of Orleans, the regent of France.²⁰ In 1722, the seat of government was removed to New Orleans which then

¹³ Hart, 68.

¹⁴ Hart, 75.

¹⁵ Hart, 77.

¹⁶ Hart, 77.

¹⁷ Hart, 83.

¹⁸ Hart, 111.

¹⁹ Hart, 111.

²⁰ Hart, 119; Flint, 165.

had a population of about 200.²¹ Emigrants now flowed in rapidly from France.²² A large number of Germans were brought over, also. By the end of 1721, there were about 6,000 people in Louisiana.

The French, along in these years, began settlements at Yazoo, Baton Rouge, Bayou Goula, Ecores-blancs, Point Coupee, Black River, Pascagoula and as far north as Illinois.²³ The Mississippi was now beginning to assume the status of the main artery of travel and commerce in a growing country.

Before 1693, (probably as early as 1686), Fort Gravier founded the town of Kaskaskia, on the east bank of the Mississippi, in Illinois, about 80 miles south of the present site of St. Louis.²⁴ The town is still there; although it is probably not much larger than it was when the pious father finished building it.²⁵ It has the honor of being the oldest permanent settlement on the Mississippi river.²⁶ Fort Gravier probably founded also, (soon afterwards), the town of Cahokia, opposite and a little south of St. Louis, and Peoria, Illinois.²⁷ Cahokia is now a small village. Fort Chartres, Illinois, about 65 miles south of St. Louis, was founded in 1720.²⁸

The first movement of white people into Illinois and Missouri was by the French from Canada.²⁹ They were hunters and traders principally, who would come out by the Great Lakes or overland, establish camps, kill game and trade with the Indians for skins. Their camps frequently grew and became towns, or cities.

The first permanent settlement west of the river was at the old town of St. Genevieve, Missouri, in 1735.³⁰ The new town (which is the outgrowth of the old one) is still a thriving one of about 1,600 inhabitants and is situated about 75 miles south

²¹ Hart, 120.

²² Hart, 121.

²³ Hart, 123.

²⁴ Hart, 90.

²⁵ Since writing this paper, the writer has been informed that the river is steadily cutting away the banks at Kaskaskia, and that it will probably disappear before many months have passed.

²⁶ Hart, 90.

²⁷ Hart, 90; Rozier.

²⁸ Rozier.

²⁹ Flint, 164 and 333.

³⁰ Rozier.

of St. Louis. It was settled principally by the French from Canada.

In 1763, Pierre Laclede Liguist and others got, from the Governor of Louisiana, a charter for exclusive trade with the Indians of the Missouri and upper Mississippi rivers. They ascended the river from New Orleans and, on February 15th, 1760, established St. Louis as a trading-post.³¹ It is said that they predicted a great future for it and, for that reason, were careful to select a good location. The developments of a century and a quarter have demonstrated their wisdom in both particulars.

Carondelet (about 8 miles south St. Louis) was founded by the French, in 1767.³² It is now a part of the city of St. Louis. St. Charles and Florissant (both within 25 miles of St. Louis) were founded in 1769 and 1776, respectively.³³ Portage des Sioux, Missouri, (near St. Charles, but on the Mississippi river,) was established about 1780. It is now a small village. Cape Girardeau (about 140 miles south of St. Louis) was founded in 1794.³⁴

During the various plots and counterplots between Great Britain, France, Spain and the United States over the control of the river and its adjacent territory, there were numerous military posts established on the river, some of which grew into towns or cities, others of which have disappeared.

Fort DuQuesne was established by the French, in 1750, Louisville was laid out by Bullit, in about 1774.³⁵ In 1780, Clark established Fort Jefferson, in Kentucky, a little south of the mouth of the Ohio, for protection against the Indians and foreigners.³⁶ After the railroad was built very near there, what remained of it was moved to Wickliffe, Kentucky.

In 1786, a company called the Ohio Company, was formed and they purchased a large tract of land on the Ohio river around what is now the city of Marietta, Ohio.³⁷ They built Fort Har-mar, at the mouth of the Muskingum river, and brought out a

³¹ Rozier.

³² Rozier.

³³ Rozier.

³⁴ Rozier.

³⁵ Winsor, 59.

³⁶ Winsor, 174.

³⁷ Winsor, 282.

large number of settlers, principally from New England. These clung to their New England customs, of course, prominent among which was the eating of beans. They prohibited, within their domain, what was a most general custom elsewhere in the West, namely: the carrying of knives and pistols. It is interesting to note that many of them did not like the idea of a federation of the States and thought that they were getting out of it when they moved west.³⁸ Many of these immigrants came in wagons; but the majority of them took the river at or above Pittsburg, and came down by boat.³⁹

By the year 1789, St. Clair, who was governor at Fort Harmar and had been ordered to endeavor to secure grants of the Indian titles west of the Mississippi river and north to 41°, succeeded in this effort. Another society was now formed, secured a large grant of land west of Fort Harmar and established a colony there. They named the first settlement Losantiville—which, out of consideration for the convenience of future millions who presumptively would inhabit this municipality and have frequent occasion to write its name, was soon changed to Cincinnati.⁴⁰ This district was settled very much in the same way as was the Fort Harmar district.

In 1790, Gallipolis, on the north bank of the Ohio not very far west of Fort Harmar, was settled by immigrants from France brought over under Putnam and others.⁴¹

Vincennes, Indiana, was settled in 1702, by the French from Canada. It is the second oldest settlement in the Mississippi valley. The French post, Quintanon, near Tippecanoe, was established not long afterwards. This part of the country was settled very early. The French, from Canada, came down, overland, and established themselves in the district tributary to the Wabash river. The country still shows the impress of its French settlement in the names of its towns, rivers, &c.

It may be instructive, at this point, to review some of the international events which took place during the period from 1763 to 1798, in order to have the benefit of the light which they throw on the settlement of the Mississippi valley. Civil government frequently has a most important influence on the set-

³⁸ Winsor, 296.

³⁹ Winsor, 298.

⁴⁰ Winsor, 316.

⁴¹ Winsor, 404.

tlement of a country. For instance: after the transfer of Louisiana by France to Spain in 1763, a great many French living in Louisiana emigrated east in order to escape Spanish rule;⁴² and after Great Britain acquired Canada in the treaty of Paris (in 1763), a great many French moved from Illinois and other surrounding points to places west of the Mississippi. The same effect can be noticed to-day in the great preponderance of immigration to the United States over that to Canada.

By the treaty of Aix-La-Chapelle (1748) Great Britain acquired the northern fisheries, Hudson Bay, New Foundland and Nova Scotia. She soon claimed the territory south of Canada and west from her Atlantic colonies to the Mississippi river. France resisted this claim and built Fort DuQuesne to prevent the encroachments of the British. It was her idea to establish a chain of forts from Canada to Louisiana and thus hem in the British colonies all of the way. In 1758, the British captured Ft. DuQuesne and named it Pittsburg—for William Pitt. In 1759, the victory of Wolfe over Montcalm on the Plains of Abraham gave Canada to Great Britain. The treaty of Paris, in 1763, sealed this and France ceded to Great Britain the valley of the St. Lawrence and all territory east of the Mississippi and north of the 31st parallel of latitude. In this treaty, Great Britain acknowledged the Mississippi river as her western boundary.

At the same time, France, by a secret treaty, ceded the territory of Louisiana to Spain. This left France without a single foot of American territory. In 1764, this transfer was publicly known. In 1781, Cornwallis surrendered at Yorktown, and the treaty of Paris, in 1782, between the United States and Great Britain gave the former full jurisdiction west to the Mississippi river, including the right to its use.⁴³ The northern boundary was a line north of the source of the river. The southern boundary was the 31st parallel of north latitude. In 1791, Great Britain and Spain were about to go to war over the seizure of a British vessel at Vancouver. Great Britain made a great effort then to secure Louisiana and Florida, so as to enlarge her territory and to hem in the United States on land and sea. Spain became afraid that the war would enable the United States

⁴² Winsor, 95.

⁴³ Winsor, 203.

to seize the Mississippi river and she settled with Great Britain. Great Britain was no longer a factor in the question of the navigation of the river.⁴⁴ Before and during this trouble, the United States had great trouble with Spain over her right to the use of the river. There was a great deal of diplomatic negotiation between the two countries. Finally, by treaty, in 1795, the matter was settled and the boundaries of the United States as established by the treaty of Independence acknowledged. All posts in United States territory, held by Spain, were to be evacuated within six months; but, giving the war with Great Britain (which then existed) as an excuse, Carondelet (in command at New Orleans) refused to give them up. Natchez and Chickasaw Bluffs were included in these posts. Finally, after considerable diplomatic trouble, all posts were evacuated early in 1798 and the United States were in actual possession of all of the territory granted to them in the Treaty of Independence. The eastern bank of the Mississippi, from its source to 31°, now belonged to the United States.

In 1800, Spain ceded the territory of Louisiana to France. In 1803, for the sum of only \$11,250,000.00, France under Napoleon, ceded it to the United States. This gave the United States entire control of the river from its source to its mouth, with the exception of a little space on the eastern bank north of Baton Rouge which was included in West Florida. It is to celebrate the one-hundredth anniversary of this last cession that the Congress of the United States has recently appropriated \$5,000,000.00 and the city of St. Louis is making elaborate preparations. The absorption of West Florida, in 1810, and the subsequent cession by Spain, in 1819, completed our control of the river.

By the year 1770, the tide of immigration into Kentucky, Tennessee and districts along the Ohio river was getting strong.⁴⁵ Some came alone, some in small bands, some with their families and some in whole communities. It is difficult to estimate what proportion came by water. A great many did come over the mountains from Virginia and the Carolinas—a great many took boat at Pittsburg, floated down the Ohio and settled along its banks or went up its tributaries to chosen land-

⁴⁴ Winsor, 396 *et. seq.*

⁴⁵ Winsor, 49.

ing-places. The great majority, it is estimated, came this way.⁴⁶ For some time after that it is notable that the great preponderance of settlements were on streams.⁴⁷ It is estimated that by the end of 1773, there were about 60,000 people in the country between Pittsburg and the mouth of the Ohio, including Kentucky.⁴⁸ About the time of the treaty of Paris in 1782, most of the valley that was settled was south of the Ohio river.

Some of the early settlements were those at Watauga, Carter's and the Nollichucky valleys in East Tennessee, in 1769-70-71.⁴⁹ In 1772, they were consolidated, under the leadership of James Robertson, into the Watauga Association.⁵⁰ This was the earliest government of the people, by the people, under written articles, west of the mountains. The settlements flourished from the beginning. In 1774, Daniel Boone established Fort Boonesborough⁵¹ in Kentucky; and it was soon the center of a growing community. The first legislative body that convened west of the mountains sat here.⁵² In 1779, Robertson established the French Lick settlements, around what is now Nashville, Tennessee.⁵³ The Cumberland and Holston settlements were begun, about 1772, in East Tennessee or West North Carolina. Harrodsburgh, Limestone (now Maysville) and Lexington, Kentucky, were settled between 1774 and 1784, Knoxville, Tennessee, in 1782 and Nashville in 1784.⁵⁴

About 1785, the number of immigrants has been variously estimated at between 5,000 and 20,000 a year.⁵⁵ Besides the number that came by land, there was a great increase of travel down the Ohio and Mississippi rivers. Sometimes as many as 200 boats a day would pass or leave Pittsburg;⁵⁶ and, of those stranded and deserted, a thousand in one year were counted in the Ohio river.

At the time of the adoption of the present Constitution of the United States (1789), there were about 250,000 Americans in

⁴⁶ Winsor, 328.

⁴⁷ Winsor, 399.

⁴⁸ Winsor, 60.

⁴⁹ Winsor, 79.

⁵⁰ Winsor, 79.

⁵¹ Winsor, 82.

⁵² Winsor, 82.

⁵³ Winsor, 179.

⁵⁴ Flint, 168.

⁵⁵ Winsor, 270.

⁵⁶ Winsor, 298.

the Mississippi valley. Of these, Kentucky had most, Tennessee came next, and the country north of the Ohio third.⁵⁷ About the time of the admission of Kentucky to the union (1791), there were about 70,000 white people living there. The tide of immigration was, now, very large. Estimates, then, placed it at 40,000 to 50,000 a year.⁵⁸ The country north of the Ohio was getting a larger proportion than formerly, though the movement into Kentucky, Tennessee and points south was still very strong.⁵⁹

Patrick Henry appreciated the value of the Mississippi and its tributaries as agencies for the development of the country, as shown by a remark in one of his speeches, when he said: "Cast your eye, sir, over this extensive country and see its soil intersected in every quarter with bold, navigable streams, flowing to the east and to the west, as if the finger of heaven were marking out the course of your settlements, inviting you to enterprise and pointing the way to wealth."⁶⁰

About the year 1812, there was a very perceptible increase in the immigration. It is stated that about one half of them came by boat.⁶¹ Many of those from Virginia, North Carolina and Georgia came by wagon and settled south of the Ohio river.⁶² Those from the north came generally, by the canals and Ohio river and settled north of the Ohio, though quite a number of them went to Kentucky, Tennessee, Missouri, Arkansas and Louisiana.⁶³ Some from the Southern States went to Indiana, Illinois and Missouri. The movement from Northern States was greater than that from Southern States.⁶⁴

The population of the valley has been estimated as follows: In 1790, 100,000; in 1800, 380,000; in 1810, 1,000,000; in 1820, 2,500,000; in 1832 about 4,000,000.⁶⁵

The growth in population of the various States most closely connected with this movement is as follows:

⁵⁷ Winsor, 399.

⁵⁸ Winsor, 526.

⁵⁹ Winsor, 526 and 498.

⁶⁰ Winsor, 248.

⁶¹ Flint, 182.

⁶² Flint, 183.

⁶³ Flint, 189.

⁶⁴ Flint, 189.

⁶⁵ Flint, 135.

	1790.	1800.	1810.	1820.	1830.
Alabama,		2,000	10,000	127,000	311,000 ⁶⁶
Mississippi,		8,850	40,352	75,448	136,621
Louisiana,			76,556	153,407	215,739
Arkansas,			1,062	14,255	30,345 ⁶⁷
Missouri,			20,845	66,586	140,145
Illinois,		2,458	12,282	55,162	155,176 ⁶⁸
Tennessee,	35,691	105,602	261,727	422,771	681,904 ⁶⁹
Kentucky,	73,667	220,955	406,511	564,135	687,917 ⁷⁰
Ohio,		45,635	230,760	581,245	937,903
Indiana,		4,875	24,520	147,178	343,031 ⁷¹

It will be observed that the States south of the Ohio and east of the Mississippi (and bordering on a river) and Louisiana, which is bisected by the Mississippi, grew much more rapidly in the earlier years than did the others. New Orleans, in those days, was the greatest commercial metropolis within moderately easy reach of the people living west of the Alleghenies and the natural course of trade and travel was down those rivers—particularly when a trader had a large lot of produce to transport. In this way, the country along the rivers became better known and, naturally, more rapidly settled. Louisiana's growth was from two classes of people: foreigners who came to colonize and for trade and Americans who went there because it was the center of commerce for the valley. Both of those were the result of its being favored by the Mississippi river.

The avenues of trade and travel which were utilized between the Atlantic districts and those in the west were principally as follows: The Ohio river and its parent streams, thence the Mississippi.⁷² In the earlier stages of the settlement of the country, up to at least 1789, those were by far the most used to points within reach of them. The various trails and narrow roads leading over the mountains and through the gaps were utilized by many. The upper Kanawha and Tennessee rivers furnished facilities for those who could come that way.⁷³ In 1795, Virginia opened a good road through the Cumberland

⁶⁶ Flint, 218.

⁶⁷ Flint, 276.

⁶⁸ Flint, 320.

⁶⁹ Flint, 338.

⁷⁰ Flint, 349.

⁷¹ *U. S. Census Reports* cover balance.

⁷² Winsor, 316.

⁷³ Winsor, 510.

Gap, which was very much used.⁷⁴ Several years later, a fine road was laid out from Cincinnati to St. Louis.⁷⁵

In the earlier days, while most of the exports from the new country were floated down to New Orleans,⁷⁶ a portion was carried up the Ohio and thence, by canals or roads, east; or was hauled across the mountains. Cattle, horses and swine were frequently driven over the mountains.⁷⁷ As the population and production increased and extended farther west, the rivers to New Orleans gradually absorbed more and more of the trade. Not only was the eastern trip more troublesome, but it also cost far more than the other. Even from Northern Alabama and Georgia, New Orleans received much produce which was floated down from points on and near the Tennessee river and other tributaries of the Ohio. There were, in all, about 40,000 miles of river tributary to New Orleans.⁷⁸

The advantages which points down the river possessed may be illustrated by the fact that New Orleans drew so much trade from territory even as far north as that tributary to Canada, that Great Britain tried several times to divert it north by treaty arrangements and in other ways; and all during the early days, the Atlantic States endeavored to establish easy routes from the West, in order to prevent it trading with New Orleans.⁷⁹

The trip down the river was comparatively easy—going up stream it was quite the reverse. It required about 40 days to take a small boat from New Orleans to Louisville.⁸⁰ From New Orleans to the mouth of the Ohio and back, for a boat of 25 tons, with 20 men, the trip took 90 days. To St. Louis and return it was about 100 days.⁸¹ For this reason, traders would often carry their goods to New Orleans by boat; sell them; take ship to Havana, thence to Philadelphia or Baltimore; lay in their supply for home use; and take it down the Ohio, to the starting point.⁸² This trip would require from four to six

⁷⁴ Winsor, 512.

⁷⁵ Flint, 321.

⁷⁶ Flint, 155.

⁷⁷ Flint, 155.

⁷⁸ Flint, 162.

⁷⁹ Winsor, 248.

⁸⁰ Winsor, 414.

⁸¹ Winsor, 508.

⁸² Winsor, 413.

months. Many of the farmers would build flat-boats, load them with produce and float them down to New Orleans.⁸³

The variety of crafts used on the river was interesting. It included barges, keel-boats, flat-boats, ferry flats, scows, skiffs, pirogues, canoes, dug-outs, and a miscellaneous lot of vessels that could not be named.⁸⁴ Going down stream was easy enough; but up stream any way of locomotion that would transport the vessel was used. Some used paddles (or oars); some, sculls; some had a propeller that was worked by man, horse, or even cattle, power;⁸⁵ some were pushed along by means of poles stuck in the bottom of the stream; some were pulled by ropes tied to one tree after another; and some were pulled up by the crew grasping the bushes that grew in, or near, the water. To this latter method was given the name "bushwhacking."⁸⁶

Some people traveled alone; some would take their entire family along. Sometimes two or three families would occupy one large flat-boat; and sometimes several would lash their boats together and make a sort of community enterprise out of it. One of the travelers mentions a party with which he made a trip on one occasion, in 1791, as composed of "one Irishman, an Anspacher, one Kentuckian, one person born at sea, one Virginian, and one Welshman."⁸⁷ The flat-boats frequently had high sides and a sort of roof on one end forming a room, or rooms.

The language of the regular voyagers on the river was not the most refined; and those who took trips too often, it is sad to relate, frequently acquired its boat flavor. In fact, the western people, as they were called in the States, were considered rough, uncivilized and unrestrained by law and were frequently denominated "lawless emigrants," "land grabbers," "banditti," &c.⁸⁸ While, of course, there were some to whom these appellation might, properly, be given—as there always are in new communities—the great majority of them were a brave and sturdy people, who necessarily were somewhat tarnished on the

⁸³ Flint, 144.

⁸⁴ Flint, 144 and 156.

⁸⁵ Flint, 156.

⁸⁶ Flint, 156.

⁸⁷ Winsor, 518.

⁸⁸ Winsor, 270 and 435; Flint, 142.

surface in their noble work of subduing a wilderness and converting it into a cluster of magnificent commonwealths. In the early days, those using the river were frequently the prey of those considerably worse than themselves; for, not only had they to contend with seizures and harassments by the Spaniards and Indians, but also they were frequently attacked by desperadoes and pirates who, to a greater or less extent, infested the river.

The introduction of steamboats in the West gave a great impetus to its settlement. The first steamboat operated by Fulton was in 1807.⁸⁹ It was in 1812 that steamboats were put into successful use in the West.⁹⁰ The "New Orleans" was the first that ran on the Mississippi.⁹¹ She went from Pittsburg to New Orleans in 259 hours—flat-boats took 75 days.⁹² The first to ascend to St. Louis was the "Pike" in 1817.⁹³ In 1831 there were 230 running on western waters.⁹⁴ In 1874 there were 1,017 steamboats and 1,068 other craft.⁹⁵ An early writer says: "The improvements of fifty years without steamboats were brought to this country in five years after their invention."⁹⁶ Going upstream a flat-boat would make four to six miles per day—a steamer would make that much per hour.⁹⁷ Like all other improvements in travel and transportation, their effect upon the settlement of the country was marked and after their introduction the West rapidly increased in population.

They were of particular benefit to the country on the Mississippi north of the Ohio, because they rendered communication easier between it and districts that were more thickly settled. From 1810 to 1820 Kentucky increased in population 39%, Tennessee 68% and Mississippi 89%, while Missouri increased 215% and Illinois 350%.

The Mississippi river would have caused early settlement to be much more rapid had there been free use of it to the Americans; but, much of the time, such was not the case. As long as

⁸⁹ Winsor, 325.

⁹⁰ Flint, 177.

⁹¹ Rozier.

⁹² Flint, 177.

⁹³ Rozier.

⁹⁴ Flint, 217 (2nd Part.)

⁹⁵ Rozier.

⁹⁶ Flint, 161.

⁹⁷ Flint, 161.

Spain held control of it, Americans were much hampered in their use of it and seizures of persons and property were not infrequent. From 1782, when we acquired the right to its use by the Treaty of Independence, to 1795, when the matter was settled with Spain, the right of the United States was resisted by Spain and Americans were greatly annoyed. During this period there was a great deal of plotting and diplomacy over the matter and many events happened which, to-day, are very interesting and some of them strange.

The West, all the time, insisted on the free use of the river—the East, at first, were inclined not to aid them, though assuring them that they were.⁹⁸ Subsequently, the East insisted on the opening of the river, for fear of the consequences in the conduct of the West; and, all of time, various foreign nations were coquetting over the matter first with one section, then with another, then with each other. Once our minister was ordered to give Spain entire jurisdiction below 31 degrees in return for free navigation above that point.⁹⁹ This was revoked on account of the emphatic protest of the West. Again, the stock of a Spanish trader at Vincennes, Ind., was seized in retaliation for the seizure of American boats on the Mississippi.¹⁰⁰

Frequently, it was feared in the East that the West would separate from it and join with Spain,¹⁰¹ on account of the failure to secure the free use of the river.¹⁰² Some said, however, that Spain would not agree to this, for fear of the spread of Democratic doctrines in its colonies.¹⁰³ It was also said that the United States would not have occasion to cross the Mississippi for ages.¹⁰⁴ (In a very few years after that we purchased Louisiana.) Some said that if the river was closed the West would send its products East, while if it was open it would send them to New Orleans. This idea was more popular in the North where the greatest benefit was expected from this trade.¹⁰⁵ Virginia once threatened to withdraw and form a Southern Union unless something was done towards securing the river for the

⁹⁸ Winsor, 318 *et. seq.*

⁹⁹ Winsor, 201.

¹⁰⁰ Winsor, 347.

¹⁰¹ Winsor, 538 *et. seq.*

¹⁰² Winsor, 319.

¹⁰³ Winsor, 320.

¹⁰⁴ Winsor, 396.

¹⁰⁵ Winsor, 348.

West.¹⁰⁶ The Western people gradually grew more determined and more restless. Some wanted to separate from the Union and join Spain. Others wanted to join France and others Great Britain.¹⁰⁷ Each of these nations wanted an alliance with the West for obvious reasons. Great Britain proposed sending an army down from Canada and a fleet up from the sea to aid the enterprise.¹⁰⁸ One of its principal motives was to divert the trade north to Canada. These nations argued to the West that the Allegheny mountains prevented communication with the East and broke the unity of the Republic; and that the prosperity of the East helped the West very little.¹⁰⁹ The French government tried to rouse the French in Canada against Great Britain and with the aid of the West retake both Canada and Louisiana.¹¹⁰ The efforts of France, Spain and Great Britain were, for a while, quite energetic. Expeditions against New Orleans and Natchez to drive out the Spanish and thus secure control of the river were freely talked of by Kentucky and Tennessee people, and several times very nearly begun. Spain once fearing a combination against her, strengthened her posts on the river and incited the Indians to harass the Americans. Many in the West were against the formation of the present Union, because they feared that the majority rule provided for in the Constitution would prevent their securing control of the river.¹¹¹ A western confederation was often talked of.¹¹² In 1790 there were about 200,000 people in the West and 40,000 of them were able to bear arms. Jefferson ordered our minister to secure free navigation at all hazards.¹¹³ About this time Tennessee, having about 77,000 people, issued a call for a convention for statehood. Plots and counterplots grew thick again. Finally, by the Treaty of San Lorenzo, in October, 1795, Spain, fearing that the United States and Great Britain were about to make war on her, settled the matter by giving the United States free navigation and the right of free deposit at New Orleans and other points.¹¹⁴ This settled the

¹⁰⁶ Winsor, 349.

¹⁰⁷ Winsor, 350 *et. seq.*

¹⁰⁸ Winsor, 370, 566 *et. seq.*

¹⁰⁹ Winsor, 373.

¹¹⁰ Winsor, 531 *et. seq.*

¹¹¹ Winsor, 350 *et. seq.*

¹¹² Winsor, 571.

¹¹³ Winsor, 389.

¹¹⁴ Winsor, 555.

unrest of the Western people; and though after that frequent attempts were made by foreign nations to induce them to join in various schemes, they were unsuccessful. The mention of the unreasonable suspicions of the West towards the East in Washington's farewell address and his admonition to the sections to dwell together in greater harmony will be read with greater interest when the troubles over the navigation of the Mississippi are borne in mind.

So far as the State of Mississippi is concerned, there is very little to be said as to its settlement beyond what applies to it in the general narration already given. A glance at the name of the State will show one very important result of the influence of the Mississippi river.

The earliest settlement was on the southern coast by the colonists under D'Iberville, as mentioned above. There were early settlements along the Mississippi and Tombigbee rivers,¹¹⁵—those on the former antedating those on the latter. Later on, however, owing probably to the fact that a great deal of the land bordering on the Mississippi and its local tributaries was swampy and uninviting, the immigration to the eastern and central parts of the State, which came principally overland, assumed much larger proportions than that to the western part; although the country around Natchez was very popular with the settlers.

In the very early days the French from Canada came down and settled at various points along the river, while the French and Spanish from New Orleans came up the river to the same districts. Natchez and the country south of it were the principal points of their location.¹¹⁶ Fort Rosalie, at Natchez, was built by Bienville about the year 1720. A great many of the rivers, towns, hills, &c., were given French names. The old maps show a very large preponderance of French and Spanish names. One would think that this impress, made upon the country by civilized people, would be far more lasting than that made by their savage predecessors; but a glance at such names in Mississippi, to-day, will show that the reverse is the case.

¹¹⁵ Flint, 167.

¹¹⁶ The writer has recently seen a newspaper article giving an account of the discovery of an old map which shows quite a number of settlements along the Mississippi, in the vicinity of Natchez and New Orleans, of which, now, no trace remains. Similar maps will be found in all histories touching the early days.

As immigration increased the percentage of Americans grew much greater; and with their bustling ways they overwhelmed the foreign element. American names were substituted for the French and Spanish; and the Indian names were retained.

In 1773 a band from New England located a town on the Big Black.¹¹⁷ From 1764 to 1768, many people from Virginia, North Carolina and Georgia came to Louisiana and Mississippi and settled along the river.¹¹⁸ Many of them came down the Mississippi, some came by sea and some cut their way through the forests. They continued to come for some years. In 1799 there were about 6,000 people in the Natchez region. In 1801-'2-'3-'4-'5 immigration was very brisk. The people came in various ways as before—probably a larger proportion by land. Many came down from the old States and from Kentucky and Tennessee. Richard Curtis (who was the subject of an interesting paper heretofore read before this Society) settled here in 1780, and made his fight for religious freedom. The writer of that paper states that he came down the Holstein, Tennessee, Ohio and Mississippi rivers.¹¹⁹ The majority of the others doubtless came by similar routes. By degrees the immigration down the river increased as it did in other states and that overland to points in the eastern and central parts of the State kept pace with it and even outstripped it. The various settlements stretched out and finally touched hands with each other.

In 1832 the principal towns mentioned by a writer of note were Monticello, Gibson Port (1500), Greenville, Woodville, Winchester, Shieldsborough, Jackson, Warrenton, Vicksburg (then only a few years old), and Natchez (2790).¹²⁰ The population was 42,176 whites and 32,814 slaves.¹²¹

To sum up in a few words:

In the very early days the Mississippi and its tributaries were the highways for the great mass of travel for settlement, as well as for its companion, trade. By degrees the proportion of travel by land and other routes increased; but, until the general extension of railroad facilities, the river continued to be the great factor in the settlement and trade of its valley.

¹¹⁷ Flint, 230.

¹¹⁸ Winsor, 518.

¹¹⁹ *Publications of the Mississippi Historical Society*, Vol. 3, p. 148.

¹²⁰ Flint, 235.

¹²¹ Flint, 228.

THE MISSISSIPPI PANIC OF 1813.

By COL. JOHN A. WATKINS.¹

Those who at the present day dwell in cities, or in the midst of an old and well established civilization, can not appreciate the trials, privations, and dangers incident to a frontier life seventy-five years ago.

Immediately after the Spanish cession of the Mississippi Territory to the United States there was a steady tide of immigration, chiefly from Georgia, the two Carolinas and Virginia, which, in the brief space of ten years, swelled the population from 10,000 to more than 40,000, exclusive of Indians. The lands in Jefferson county, being very fertile, well watered and heavily timbered, were rapidly entered and occupied by a class of men well fitted to pioneer a healthy civilization, and develop the wealth of our newly acquired possessions. Log cabins

¹ Colonel John A. Watkins, son of Asa and Sarah (McDonald) Watkins, was born December 3, 1808, in Jefferson county, Mississippi Territory. He was the grandson on his mother's side of Willis McDonald, of General Marion's Brigade. The early boyhood days of Colonel Watkins were passed amid the troublesome and exciting scenes incident to the great Creek War of 1813-'14, of which he retained a vivid recollection to his dying day. His early education was received in the "old field schools" of Jefferson county. At the age of seventeen he was sent by his father to St. Joseph's Academy, Bardstown, Kentucky, to complete his education. At some time in 1825, while on a trip to Rodney from Vicksburg—the Mississippi being the name of the steamboat on which he traveled—he met the Natchez bearing General Lafayette, then on his way from New Orleans to St. Louis. The two boats were tied together in midstream so as to enable the passengers on the Mississippi to see the guest of the Nation. General Lafayette stood on the boiler deck of the Natchez and bowed to his applauding admirers, among whom was young Watkins.

After attaining his majority, Mr. Watkins moved into the town of Rodney, where he engaged in mercantile pursuits, and soon became one of the most prominent men of the community. A man of culture and wide information, he attracted to himself the foremost men of his time, and entertained at his house such men as Henry Clay, General Zachary Taylor, Governor McNutt, Governor Poindexter, General Leslie Combes, Judge F. M. Lee, of Virginia, Thomas Corwin, and Dr. Drake, the well-known scientist. With these men he was on terms of intimate familiarity. He also corresponded with Hon. R. C. Winthrop, of Massachusetts; B. W. Leigh, William J. Duane, Jackson's Secretary of Treasury, and with Mrs. Torrance, wife of the Chief Justice of Canada, who was a lady of the highest literary culture. During the course of a long life, he never ceased to be a correspondent of several newspapers in

were speedily erected, cane cut down, trees converted into rails, and these again to fence in a few acres of ground, where, following the plow, corn sprang up, as if by enchantment, yielding a rich harvest as the reward of energy and industry. In a few years the face of the country was entirely changed, and if the wilderness did not "blossom as the rose," fields of cotton, fine horses, cattle and hogs testified that the laborer had been richly rewarded for his voluntary sacrifice of his "old home," and the associates of his youth.

Jefferson county was nominally composed of five districts, almost as well defined as its boundaries. The southwest was known as the Maryland settlement, of which Judge Wood was the representative; to the northwest, Dr. Rush Nutt, Asa Hubbard and James Magill stood sponsors for the Gulf Hill; Willis McDonald, John Bolls, Asa Watkins, and Kinsman Divine represented the north central division; Isaac Ross, Randal Gibson and Nathaniel Jeffries, the "Red Lick" settlement, while in the southeast the Scotch had formed a colony almost as distinct in character as one of their Highland clans from their lowland neighbors. The Gaelic language was spoken by many of them,

various parts of the United States. While living in Rodney, Colonel Watkins came much in contact with the Choctaw Indians of that vicinity, and thus acquired a taste for ethnological pursuits, the results of which were embodied in a series of articles from his pen published in the *American Antiquarian*.

May 8, 1832, Colonel Watkins married Miss Caroline Elizabeth Campbell, a daughter of William and Sarah (Smith) Campbell. She died in New Orleans, November 9, 1867. In 1848, Colonel Watkins removed to New Orleans, where he held a prominent social and official position, serving for many years as councilman and as State and city assessor. In 1852 he refused a nomination for Congress in a Whig district, when he could have been elected without opposition, giving as a reason that he was too poor to accept an office. Who in these degenerate days would have made that excuse for declining a political nomination?

During the inter-state war, Colonel Watkins was an ardent supporter of the South, and while the Federal troops were in possession of New Orleans, he spent his time and money freely in alleviating the sufferings of the Confederate prisoners. The Colonel continued in active business life until 1883, when advancing years compelled him to retire. From this time until the day of his death he enjoyed a vigorous old age, with a mind unimpaired and a physical frame that seemed to defy the assaults of time, a vitality no doubt inherited from his hardy Highland ancestors. He could read the finest print without glasses. The Bible and Shakespeare were the favorite literary recreations of his old age. Almost to the day of his death he enjoyed the society of his friends and carried on more or less correspondence. He died on the 27th day of August, 1898, lacking three months and six days of completing his ninetieth year. Colonel Watkins left one child surviving him, Mrs. Sarah C. Divine, of New Orleans.—H. S. HALBERT.

and perhaps at this day they read the Bible in that language, for my old friend, Duncan Sinclair, himself a Highlander, says that Gaelic was the language spoken by Adam and Eve in the garden of Eden. Here were Camerons, McClutchies, McIntyres, Torrys, and a host of other names, that gave unmistakable evidence of their nationality.

In process of time, towns and villages sprang up on the main line of travel, affording such facilities for trade and commerce as the limited wants and resources of the country required. Greenville, Union and Selsertown were located at convenient distances from each other, on the "Old Robinson Road," and continued to flourish for many years, until, antagonized by the increased production of cotton and the demands of commerce, they ceased to be a necessity, and gradually passed away, leaving scarcely a trace of their former existence. The last time I traveled over this road, now twenty-five years ago, Selsertown was represented by a frail tenement occupied by an old colored woman who dispensed fried bacon, eggs and corn bread to the hungry wayfarer. Uniontown, six miles north, had dwindled down to an old farmhouse, while Greenville was a "deserted village" with one old house tottering to decay and McCullum's blacksmith shop. But as this was many years ago, these have long since paid the debt of nature, and passed beyond the recollection of the present generation, for the "oldest inhabitant" only exists as a transient memory. When I first knew Greenville it was a beautiful village, the seat of justice for the county, and boasted one of the oldest bars in the State. Poindexter, Joe Davis, Rankin, Turner, Read, Quitman, and many others—names that will live in history as Governors, Senators, Judges and Representatives in Congress, while several gained distinction as statesmen and orators.

In 1813, August 30th, the Creek Indians attacked Fort Mims, and as it was negligently protected, nearly all the inmates, soldiers, women and children, said to number over 550, were put to death. The news of this massacre spread rapidly in Mississippi, as nearly all the soldiers who defended the fort were from that Territory, and I might add that a majority of them were from Jefferson county. The danger was so threatening that Governor Holmes, on his own responsibility, called for volunteers to form a battalion of mounted men to be composed of

one company from each of the counties of Adams, Wilkinson, Amite, and Jefferson. The massacre of Fort Mims occurred on the 30th of August, 1813, and the battalion called out by Governor Holmes reported for duty on the 23d of the following month, and at once hurried to the seat of war. This was the famous Jefferson Troop designated at the War Department as dragoons, commanded by Major Thomas Hinds, which subsequently became prominent in the Indian war, and at the battle of New Orleans in 1815.

The heavy drafts made upon the sparsely settled Territory left it in such a defenseless condition, that, had the Creeks followed up their success against Fort Mims, and formed, as they desired, a juncture with the Choctaws, they could have swept over the country with the destruction of a tornado. Rumors that an advance had been made by the Creeks, and that in their progress they had been joined by the Choctaws began to be whispered around, at first so vague that they could be traced to no reliable source, but in a few days assuming a form to which fear gave an impulse that resulted in a panic that I can only attempt to describe from the recollections of more than 75 years ago.

The report of massacres by the Indians and an advance by them on the white settlements came to our neighborhood through James H. Watson, who, on the previous day had been to Port Gibson. He gave immediate notice to the neighborhood, and though many doubted, it was deemed prudent to adopt the necessary precautions for the security of the women and children. Preparations were hastily made to send them to Washington, where a few companies of volunteers were stationed, ready at a moment's notice to move wherever their services were required. By the time the non-combatants were to move the Indians were said to be at the Rocky Springs, 18 miles above Port Gibson, and the next breeze had wafted them to the Grindstone Ford; some farsighted people could even see the smoke of Colonel Burnett's house, a distance of seven miles. How these vague reports originated will never be known. Like the "three black crows," they grew as they proceeded, until the alarm became universal. As nearly all the young men capable of bearing arms had gone to the seat of war few capable of making a defence were left to protect their homes

and families, but they were of that class who, if they did not recklessly seek danger, did not shrink from the conflict when there was occasion to test their courage.

As the danger was considered imminent, runners were despatched in every direction warning the inhabitants and directing them to seek safety in flight. Such as were capable of bearing arms collected in small squads and repaired to a rendezvous which had been previously agreed upon, where they could devise the best means of defense. I was then a small boy and remember well the alarm and consternation that nearly all suffered when it was announced at the door of the school house the "Indians are upon us," and ordering us all to go home in "double quick," and by the shortest route. Some were overcome by fear, wept and raved, while others, of whom I was one, rejoiced at the prospect of a holiday. Be this as it may, we all hurried home to find our mothers in tears and tribulation. Such effects as could be removed had been thrown into the wagon, while articles more cumbrous were removed to a place of comparative safety in the surrounding cane brakes. Looking back after the lapse of more than seventy-five years to that period of gloom and apprehension I can barely restrain a smile at the ludicrousness of the scenes presented on that occasion; and yet it is the smile of sadness, for of the hundreds who met on that day capable of defending their homes, not one survives to relate the story of fear and flight; they are all gone, and of the younger members of that Hegira, two old ladies, now living near where the old field school house stood, are the sole representatives. These visions of by-gone years come over the memory like the dim shadow of some fleeting cloud that for a moment intercepts the sun, without obscuring his light.

The early settlers of Mississippi, like a majority of emigrants to new countries, were a hardy, industrious and independent class of men, and though not blessed with a superfluity of golden treasure, they possessed in abundance the material that constitutes the wealth of a nation, viz: Pigs, poultry and children, sustained by industry, economy and perseverance. It happened in the honored neighborhood of my birth that the supply was ample, especially of children, of which even a superfluity might be boasted. This, however, is a digression, for while I have been moralizing the oxen have been yoked and put

to the wagon; baggage and children have been tumbled in promiscuously and without any regard to the comfort of the latter; horses have received their cargo of live stock, two or three being mounted on each; and now the cavalcade is under way—if I may use that term when applied to oxen.

Our faces were turned towards Washington, distant twenty-five miles, this being our promised land; but in vain did we look for the cloud that was to conceal our flight from the enemy. The day was bright and beautiful; the sun smiled on its course cheerily, and the whole aspect of nature was so mild and placid that if fear had not overcome every other emotion, the outpourings of many a heart would have been offered up in gratitude to the Author who had been so bountiful in the dispensations of His blessings. At a distance of two miles from home two roads met at a place then and now known as the "Raccoon Box."

At the Raccoon Box our party was joined by twenty or more families, all on their way to headquarters. Carts, wagons, children, horses and dogs were so promiscuously thrown together that the elderly dames found much difficulty in keeping together their numerous offspring. After much confusion and any amount of loud talking, the caravan finally began to move. The road was narrow, scarcely permitting the passage of two wagons abreast, but it frequently happened that the driver in the rear fancied he heard an unusual noise which might not be a savage yell of delight, and would make a bold effort to pass to the front, but the attempt was rarely successful, as those in the van were not willing to give any advantage to their less fortunate companions who had to close the long line of this heterogeneous procession. The scene was ludicrous beyond description. Here three white haired urchins were pelting an old plow horse into a fast walk; while there a young mother, similarly mounted, was carrying one child in her lap while two others were holding on desperately to avoid a fearful tumble; while further on a rickety old cart drawn by two stalwart oxen was loaded with beds, boxes and children thrown together by chance—the latter crying lustily to be released from their vile imprisonment while the rod was occasionally applied to keep them quiet. Being a good walker then, as in later years, I avoided the ills to which many of my own age fell heir.

When the alarm was first given, many of those who were able to make a defence met by previous agreement at a point known as Clifton, the present residence of Mrs. Israel Coleman, which is on the old Robinson road leading from Natchez to Nashville.

Here in the forenoon of that eventful day, so long remembered by many as an epoch in their lives, about a dozen of the neighboring farmers met for consultation and action. It was decided that a part of this force should proceed without delay in the direction of Port Gibson, where they had no doubt of meeting with reliable information. Let me here remark that many of those present on that occasion did not believe the truth of the report, but acted from prudential motives in sending the women and children to a place of security, while, if true, they would be in a position to arrest the advance of the Indians long enough to give the fugitives time enough to reach their destination. I do not recollect the names of all who participated in this movement; but I do know that Daniel Frisby, Thompson B. Shaw, Kinsman Divine, Asa Watkins, Robert B. Farley, and Henry Ledbetter were of the number. It is not necessary for me to tell of all they saw and heard on the road. A bear leisurely crossed the road in front of them, and though the temptation was strong to give him the benefit of a bullet, policy protected him. For once bruin escaped the penalty of a trespasser. Fear on this occasion was his guardian genius. About nine miles from Port Gibson, they found Robert Trimble and one of his negro men overhauling the armory and putting all their available artillery in good fighting trim, the old gentleman vowing that he would stand a siege, with the chance of having his house burned, sooner than flee before an imaginary event. Proceeding on their way, they reached Port Gibson to find it almost deserted; only a few of the inhabitants were to be seen, of which number Mr. Ben Smith was one. He was one of the principal merchants of the place, and was well known to the fighting party from Jefferson county. Mr. Smith did not believe that there was the shadow of truth in the report, "but, gentlemen, if you are of a different opinion, walk in and supply yourselves with powder and lead; and as your courage may have sunk a little below fever heat, I have some good old 'Bourbon,'—walk in and help yourselves—while you are get-

ting up steam I will play 'leather breeches,' for I know that some of you will want to dance, as soon as the whiskey has taken effect." Mr. Smith was an amateur fiddler. I have often heard him play and witnessed the dancing of the men of that day in his back room. Here, in more peaceful times, he and Mrs. Blennerhasset, of Aaron Burr notoriety, were in the habit of exercising their skill on the violin, and rumor says that she could put as much Bourbon under her belt as the best drinker in the country.

With this whiskey and ammunition, our party, fully satisfied that there were no hostile Indians on this side of the Tombigbee River, took leave of Mr. Smith and hurried to overtake their families, and just at sundown came up with them near Greenville. Many of those who had taken flight in the morning, still impelled by fear, did not pause till they reached Washington, while all of those from our neighborhood turned back; but as it was some distance to their homes, the women found shelter under the hospitable roof of the father of the Rev. John G. Jones, whilst the youngsters bivouacked under the broad canopy of heaven, from whence the bright stars shown down on their quiet slumbers, after the fatigue and excitement of day, which was long remembered by many who now sleep beneath the cold earth, their very names, perhaps, forgotten by the present generation.

As I write of what happened in my own neighborhood, I shall only go out of the county to relate two trifling, but well authenticated incidents. Shadrach Foster fled with his household to a dense cane brake, and could with difficulty be restrained from killing a child, whose cries, he feared, might guide the Indians to his place of retreat. He killed his dog and threatened the life of the first one who spoke above a whisper. William B. Blanton, on his way home, overtaken by night and Bourbon, turned his horse loose, and after groping in the dark for some time took refuge in a hollow log, where he slept soundly till after sunrise, when, to his surprise, he discovered that the log was not ten feet from the road, from which he would have been in full view, had the Indians or any one else passed that way. Such are some of the effects of fear, one of the strongest impulses of our nature, and the least under the control of reason.

Though no immediate danger was apprehended from an invasion of the Indians, it was deemed prudent to adopt measures for future security. A meeting was held by the neighboring farmers, at which it was determined to erect, in some central location, a fortification sufficient for the protection of the women and children, and for the common safety of the settlement, generally. In furtherance of this object, they met and erected four block-houses, which were protected by strong palisades, much after the style of the present picket fence, though much higher and of stronger materials. The fort occupied a gently swelling ridge, but in the hurry it was forgotten that the spring which furnished the only water supply was about fifty feet outside of the fortification, and that in the event of a siege it would be inaccessible. This was an oversight, but it was cured by time, as the Indians never made their appearance. I was present when the first tree was cut down and saw the last picket planted. This was in the winter of 1813-14.

In 1815 the Tennessee troops bivouacked one night at Fort Shaw, which made it holy ground. It was the first and last fortress that ever arose obedient to fear or patriotism in Jefferson county.

For several years one of the block-houses was used for educational purposes, and here the young idea was taught to shoot, under the inspiration of the birch, which at that day was regarded as a necessary promoter of mental and moral culture. Subsequently the houses were pulled down and converted to other uses, the land was subjected to the plow and at this day, few, from their personal recollections, could point to the spot where, in 1813-14, Fort Shaw proudly waved the Stars and Stripes. Of those who assisted in its erection, not one survives. Two old ladies living near where the fort stood and the writer are believed to be the last survivors of that eventful period, in this special neighborhood. When this article was published forty years ago, it was approved by two of the best traditional historians in the county and pronounced true.

JOHN A. WATKINS,
486 St. Charles Ave.

New Orleans, April 10, 1890.

PLANTER'S AND UNION BANK BONDS.

(Concise history of the Planter's Bank Bonds, and the Union Bank Bonds of the State of Mississippi, compiled from authentic sources of information, by J. A. P. CAMPBELL.¹)

The Planter's Bank of the State of Mississippi was chartered by act of the Legislature of February 10, 1830, which was amended by act of December 16, 1830, and further amended by act of February 5, 1833. Under the first act bonds of the State

¹ Judge Josiah A. P. Campbell is of Scotch and Irish descent. He was born in South Carolina in 1830. He completed his college course at Davidson College, N. C. Soon after he was seventeen years old he was admitted to the bar and settled in Kosciusko, Miss. He continued to practice his profession at this place until the beginning of the War between the States. He was elected to the legislature when he was only twenty-one years of age (1851). In 1859 he was again elected to represent his county in the legislature. He became speaker of the house. In 1850 he was united in marriage to Miss Eugenia E. Nash, of near Kosciusko, Miss.

When Mississippi seceded (1861) he was chosen a delegate to the constitutional convention at Montgomery, Ala., and thus became a member of the provisional congress of the Confederacy. In 1862 he entered the Confederate army as captain of Company K, Fortieth Mississippi, and was soon made lieutenant-colonel of his regiment. After the battle of Corinth, where he was wounded, he rejoined his regiment at Grenada and went with it to Vicksburg. While there he was appointed by President Davis to the rank of colonel and was assigned to duty as a member of military court, Gen. Polk's corps.

After the war he was elected circuit judge of his district to fill an unexpired term. At the expiration of his term he was re-elected (1866) for a full term, but being unable to take the test oath which was imposed by the Federal government, he retired in 1870 to private life and resumed the practice of his profession. Removing to Canton, Miss., he formed a co-partnership with Judge S. S. Calhoun, which continued until 1876. When the Democratic party resumed control of the State (1876) Judge Campbell was appointed, without his seeking it, to the Supreme bench by Gov. Stone. Being re-appointed by Gov. Lowry in the same way, he filled this responsible position for a period of eighteen years (1876-1894), during six years of which time he was chief justice. In 1883 the degree of LL. D. was conferred upon him by the University of Mississippi. He served as a member of the Mississippi Code Commission which prepared the *Code of 1871*. He prepared the *Code of 1880*, at the request of the legislature of the State. In 1890 he was invited by the legislature to deliver an address on the "Life and Character of Jefferson Davis," which duty he discharged with his characteristic ability. He was in 1870 elected professor of law in the University of Mississippi, but declined to accept the position.

Sketches of Judge Campbell's life will be found in Goodspeed's *Biographical and Historical Memoirs of Mississippi*, Vol. I., pp. 495-'8, and *Who's Who in America* (1901-1902), pp. 175-'6.—EDITOR.

of Mississippi to the amount of \$500,000 were issued by the Governor, and under the last act bonds of the State to amount of \$1,500,000 were issued, as authorized, by the Governor, the proceeds of all which bonds were to pay for the State's stock of \$2,000,000 in the bank, and the bonds were sold, and applied as directed, and the State thus became a stockholder of the bank to the extent of \$2,000,000. The bonds bore interest at six per cent. per annum, payable semi-annually.

The Planter's Bank went into operation, and flourished for years, paying dividends and the interest on the bonds of the State to January, 1840. The stock of the bank and the faith of the State were pledged for the redemption of the bonds. There was nothing in the Constitution of the State then in existence restricting the power of the Legislature to pledge the faith of the State as was done.

By act of the Legislature in 1839 the State's stock in the Planter's Bank was transferred to the Mississippi Railroad Company, with a provision in the act that the stock of the State in said company and all stock of private individuals in it should be pledged for payment of the bonds of the State issued on account of the Planter's Bank.

In 1842 an act of the Legislature authorized the Governor to accept a surrender to the State of the said railroad and all its assets, and to sue the company, if surrender was refused.

In 1844 an act of the Legislature provided for placing the Planter's Bank and the Mississippi Railroad Company in liquidation and to wind up their affairs and pay the State's debt. From time to time there were various provisions for payment of the bonds, and bonds and coupons were paid, at different times, to amount of \$99,442.75 and coupons to amount of \$101,520 were paid out of the sinking fund Nov. 30, 1858, and July 5, 1859, as shown by report of the auditor of public accounts to the House of Representatives in 1859. The validity of the Planter's Bank Bonds and the duty of the State to pay them were never questioned. The liability of the State for them and the purpose to pay them, continued to be recognized until long after the occurrences narrated above. In the fierce contest of 1841, when the question of the Union Bank Bonds was the issue in the canvass for State officers and members of the Legislature, the liability of the State for the Planter's Bank Bonds was

not questioned. The Governor elected in 1841, and the Legislature recognized the obligation of the State to pay them.

In 1852 an act of the Legislature provided for every voter, at the next election, to be asked the question, on presenting his ballot, if he was willing to submit to a direct tax to pay the Planter's Bank bonds. This act was carried out at the Presidential election of 1852, and a majority of voters answered in the negative, as might have been expected. The question was not whether willing to recognize the validity of the bonds, and for the State to refund them or make some arrangement for their payment, but, whether willing to submit to a direct tax for their payment. The great body of the voters knew nothing of the amount of the bonds; the circumstances of their issuance, or the extent of the tax which might be imposed for their payment; and it would have been surprising if they had responded affirmatively to the question propounded to them.

In 1859 Governor McWillie recommended to the Legislature to make provision for payment of the Planter's Bank Bonds. His message was referred to a special committee, a majority of which reported against action in accordance with the Governor's recommendation, because of the threatening aspect of our Federal Relations. A minority favored compliance with the message. The view of the majority prevailed, but in no quarter was there any denial of the obligation of the State. But for the general apprehension that the State would soon be called to deal with more momentous questions, there is little doubt that some action would have been taken looking to payment of these bonds. The war between the States occurred, and in 1876 an amendment of the Constitution proposed by the former Legislature, and adopted by the people at the polls in 1875, was inserted as a part of the Constitution of the State, whereby payment of the Planter's Bank bonds and the Union Bank bonds was prohibited, and this provision was made part of the Constitution of 1890.

UNION BANK BONDS.

The Mississippi Union Bank was chartered by act of the Legislature of January 21, 1837, with a capital of \$15,500,000, to be raised by a loan. The faith of the State was pledged by the act for the security of the capital and interest, and bonds of the

State to that amount were to be issued by the Governor and delivered to the bank for sale, the proceeds to constitute the capital of the bank, which was to pay interest as it accrued, and also the bonds. The only stockholders of the bank were to be citizens of Mississippi who were to secure their subscriptions for stock by mortgages of ample real and personal estate to which the State could resort to indemnify it for liability created by its bonds, the sale of which was to furnish the money for the bank. The Constitution of Mississippi, adopted in 1832, forbade the faith of the State to be pledged as proposed, except by act of the Legislature passed in a particular way, and published in a manner directed, and reenacted by the next Legislature, as prescribed. The 5th section of the act providing for the issuance of bonds, and pledging the faith of the State, as stated above, was passed as required by the Constitution, having been enacted as prescribed by the Legislature, duly published before the next election, and properly passed by the next Legislature. No bonds had been issued under this act, which was reenacted, February 5, 1838, when on February 15, 1838, a supplemental act was passed authorizing and requiring the Governor to subscribe for 50,000 shares of the stock of the Union Bank to be paid for out of the proceeds of the bonds authorized. The Governor subscribed for the shares, and issued bonds of the State to amount of \$5,000,000, and delivered them to the bank, and they were sold by the bank, and the proceeds received by it. Other \$5,000,000 of bonds were delivered by the Governor to the bank, but they were not sold. The rate of interest was five per cent.

The scheme of the act of January 21, 1837, the 5th section of which pledged the faith of the State, was for the State to furnish the money to the bank whose stockholders were to be citizens of the State bound by their subscriptions and securing them by mortgages of ample real and personal security, all which would be the security of the State for the debt incurred by its bonds, for which its faith was pledged. It was to this scheme the electors, at the election of 1837, were invited to give approval by electing members of the Legislature, and it was this to which the Legislature elected in 1837 gave consent in reenacting on February 5, 1838, the former act.

The Union Bank soon came to grief, and war was made on

it by Governor McNutt, and the cry of the illegality of the bonds and their repudiation by the State was raised. The Legislature elected in 1839 was not in sympathy with the views of Governor McNutt, and favored payment of the Union Bank bonds.

This became the paramount question in the politics of the State, and excited and divided the people in 1840 and 1841; and in 1841 was the absorbing issue in the canvass for State officers and members of the Legislature. Mr. Tucker was elected Governor, being the candidate of the repudiators, and with him a decided majority of both the Senate and House of the Legislature occupying similar ground. The Governor and Legislature both declared against the payment of the "Union Bank Bonds," and thus the matter rested.

In 1852 H. A. Johnson sued the State in the Superior Court of Chancery on interest coupons of some of these bonds. The State contended that while the original act was passed as required by the Constitution, the bonds were not issued under that but under the supplemental act not passed as the Constitution required, and which materially changed the terms of the State's relation to the bank. The Chancery Court decided the case against the State, which appealed to the High Court of Errors and Appeals, which affirmed the decree of the Chancery Court. The case is reported in 25 Miss Rep., where the views of both sides are ably presented.

In 1876 the Constitution of Mississippi was amended so as to prohibit payment of the Union Bank bonds, as also the Planter's Bank bonds, and this prohibition is in the Constitution of 1890.

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